

provided to City Staff or consultants, who then provided advice to the Planning Commission and City Council. For these reasons, such documents form part of the underlying factual basis for the Council's decisions relating to the approval of the Gasser Master Plan and related legislative actions. (See Pub. Resources Code, § 21167.6, subd. (e)(10); Browning-Ferris Industries v. City Council of City of San Jose (1986) 181 Cal.App.3d 852, 866 [226 Cal.Rptr. 575]; Stanislaus Audubon Society, Inc. v. County of Stanislaus (1995) 33 Cal.App.4th 144, 153, 155 [39 Cal.Rptr.2d 54].)

The custodian of the materials constituting the record of proceedings is the City Clerk located at 955 School Street, Napa, CA 94559.

VI. FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which will *substantially lessen* the significant environmental effects of such projects[.]" (Emphasis added.) The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid or substantially lessen* such significant effects." (Emphasis added.) Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).)

Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 565 [276 Cal.Rptr. 410] ("Goleta II").)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417 [183 Cal.Rptr. 898].) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*ibid.*; see also Sequoyah Hills Homeowners Assn., supra, 23 Cal.App.4th at p. 715.)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The City must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an

understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which will substantially lessen the significant environmental effects of such projects." (Pub. Resources Code, § 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 519-527 [147 Cal.Rptr. 842], in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the "regional traffic problem") less than significant.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these Findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level (avoided), or has simply been substantially lessened but remains significant.

Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these Findings will nevertheless fully account for all such effects identified in the Final EIR.

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation even to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact - even if the alternative would render the impact less severe than would the proposed project as mitigated. (Laurel Hills, supra, 83 Cal.App.3d at p. 521; see also Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 730-731 [270 Cal.Rptr. 650]; and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376, 400-403 [253 Cal.Rptr. 426] ("Laurel Heights I").)

In these findings, the City Council first addresses the extent to which each significant environmental effect, or potentially significant effect, can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect remains significant and unavoidable does the City Council address the extent to which alternatives described in the EIR are environmentally superior with respect to that effect.

As these Findings will explain, even after adoption of all feasible mitigation measures, the GASSER MASTER PLAN will cause or contribute to 16 significant, unavoidable environmental impacts. They are:

- (a) aesthetic impacts related to the change in visual character of the site from that associated with the existing undeveloped open space to that associated with public-serving, residential, retail and other commercial development with parking and retained wetland areas (AES-1).
- (b) 14 traffic-related impacts where mitigation measures to reduce project-related effects to a level of less than significant have been identified, but where actual implementation of these measures cannot be realized in the short- to mid-term until appropriate funding mechanisms have been identified (TRA-3, TRA-5, TRA-6, TRA-8, TRA-9, TRA-12, TRA-13, TRA-14, TRA-20, TRA-21, TRA-22, TRA-23, TRA-24, and TRA-25); and

- (c) air quality effects due to the fact that project emissions will exceed the Bay Area Air Quality Management District thresholds of significance (AQ-2).

In cases in which a project's significant effects cannot be at least substantially mitigated, an agency, after adopting proper findings, may nevertheless approve a project if the agency first adopts a "statement of overriding considerations" setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Pub. Resources Code, § 21081, subd. (b); see also CEQA Guidelines, § 15093, 15043, subd. (b).) In Section XI of this document, the City Council identifies the specific economic, social, and other considerations that, in its judgment (if ratified by the voters), will outweigh the unavoidable significant environmental effects that Gasser Master Plan will cause.

These findings and the Statement of Overriding Considerations in Section XI explain how the City Council chose to exercise its policy-making discretion in approving Gasser Master Plan, consistent with the requirements of CEQA.

VII.

COUNCIL INTENTION IN ADOPTING THESE FINDINGS

To the extent that these Findings conclude that various proposed mitigation measures outlined in the Draft EIR are feasible and have not been modified, superseded, or withdrawn, the City intends to bind itself and any Gasser Master Plan project applicants, as well as any Gasser Master Plan property owners and any successors in interest to those applicants or owners, to implement those measures, all of which have been directly integrated into the Gasser Master Plan, when the City adopts resolutions and ordinances approving the Gasser Master Plan zoning regulations, design and landscape guidelines and implementing measures.

VIII.

MITIGATION MEASURES/MITIGATION MONITORING

As noted earlier, CEQA requires that, where a proposed project would cause significant environmental effects, a lead agency is required to adopt feasible mitigation measures that can substantially lessen or avoid those effects. Where a project is a specific development proposal for a particular piece of land, mitigation measures typically are listed in the approval documents as conditions/measures that must be implemented in the final project. Where the project is a plan, however, such an approach presents conceptual and practical difficulties. Planning documents typically relate to several pieces of property, which must receive additional approvals or entitlements before actual development can commence. Thus, both the Legislature and Governor's Office of Planning and Research ("OPR") encourage lead agencies, when approving plans affecting several properties, to integrate the "mitigation measures" for such plans directly into the plan themselves. Such an approach avoids confusion by allowing a planning document (e.g., a Master Plan) to function as a stand-alone document, and recognizes that additional approvals must occur before any development can proceed.

Public Resources Code section 21081.6, subdivision (b), states that

"[c]onditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design."

(Emphasis added.)

The Implementation section of the Gasser Master Plan incorporates the Mitigation Monitoring Program and additional conditions of project approval that either relate to and clarify the Mitigation Measures or that the City considered necessary for the project, even if mitigation measures had reduced project impacts to less-than-significant levels. All conditions of approval are incorporated in the Gasser Master

Plan Implementation section. Under this approach, the Gasser Master Plan will function as a user-friendly stand-alone document. (See Public Resources Code section 21081.6, subdivision (a)(1).)

IX.
SIGNIFICANT AND POTENTIALLY SIGNIFICANT
ENVIRONMENTAL EFFECTS AND MITIGATION MEASURES

The Draft EIR and related documents identified a number of significant unavoidable and potentially significant short-term and long-term environmental effects (or "impacts") that, absent the adoption of mitigation measures or the imposition of "standard mitigation measures" required via Policy Resolution No. 27 (PR 27) or City Code provisions, would occur with implementation of the Gasser Master Plan.

As noted earlier, all but 16 of these significant or potentially significant effects can be fully avoided through the adoption of feasible mitigation measures proposed in the Final EIR.

The City Council, in the exercise of its legislative discretion, has decided, as set forth in the Statement of Overriding Considerations in section XI, that all remaining unavoidable significant effects are outweighed by specific overriding economic, social, and other considerations associated with Gasser Master Plan approval.

This section (IX) presents the City's specific findings with respect to the significant and potentially significant environmental effects that would occur, absent mitigation, with implementation of the Project.

A. AESTHETICS

Significance Criteria

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have significant aesthetic impacts if it would:

- Have a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within the corridor of a State- or locally-designated scenic highway.
- Substantially degrade the existing visual character or quality of the site and its surroundings.
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact: **Impact AES-1:** Proposed development under the Gasser Master Plan would change the character of a relatively large (80 acres) site from undeveloped open space to public-serving, residential, retail and other commercial development with parking and retained wetland areas.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. These include compliance with the following PR 27 Mitigation requirements:

- All new lighting on private property shall be designed to eliminate direct light spilling onto adjacent residential properties. (PR 27 Mitigation Aesthetics I.1.)

- Low-level lighting shall be utilized in any parking area(s) as opposed to elevated high-intensity light standards. (PR 27 Mitigation Aesthetics I.2.)

The effect, even after mitigation, will remain significant and unavoidable.

Explanation: No feasible mitigation measures have been identified that could effectively reduce the change in visual character of the site to a level of less than significant with development as proposed under the Master Plan.

B. TRANSPORTATION

Significance Criteria

The standards of significance are based on the CEQA Guidelines as well as standards set out in the City of Napa's Policy Guidelines: Traffic Level of Service (LOS) Criteria. Impacts on transportation would be significant if the proposed project would:

- Cause an increase in traffic that is substantial in relation to the existing traffic local and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the on-road volume-to-capacity (v/c) ratio, or congestion at intersections). A significant impact would occur:
 - When a freeway mainline, freeway ramp or arterial corridor operation at LOS "E" or better under existing or future baseline conditions would receive project trips that degrade the segment to LOS "F". Mitigation for such an impact should bring the facility to operate at LOS "E", at a minimum.
 - When a freeway mainline, freeway ramp, or arterial corridor operating at LOS "F" under existing or future baseline conditions would receive 50 or more peak-hour project trips. Mitigation for such an impact should bring the facility to pre-project conditions.
 - When a signalized intersection operating at midrange LOS "D" (45 seconds per vehicle, as allowed by the General Plan in most locations) or better under existing or future baseline conditions would receive project trips that degrade the intersection operations to LOS "E" or "F". Mitigation for such an impact should bring the facility to operate at midrange LOS "D" conditions, at a minimum.
 - When a signalized intersection operates at LOS "E" or "F" (a violation of the General Plan LOS policy) under existing or future baseline conditions, the addition of more than 50 peak-hour project trips contributes to the continuing operational failure at the intersection. The project mitigation should bring the facility to pre-project conditions.
 - When the minor stop-controlled approach at an unsignalized intersection operates at LOS "E" or better or operates at acceptable levels in terms of total control delay, the addition of project trips increases the total control delay to more than 4.0 vehicle-hours for a single lane approach or 5.0 vehicle-hours for a multilane approach. The project mitigation should result in facility operations at LOS "E" or to bring the total control delay to less than 4.0 vehicle-hours for a single lane approach or 5.0 vehicle-hours for a multilane approach, at a minimum.

- When the minor stop-controlled approach at an unsignalized intersection operates at LOS "F" and does not have acceptable operation in terms of total control delay, the addition of more than 50 peak-hour project trips contributes to the continuing operational failure at the minor approach. The project mitigation should bring the facility to pre-project conditions.
- Exceed, either individually or cumulatively, a level of service standard established by the City or the established county congestion management agency for designated roads or highways. A significant impact would occur:
 - When a signalized intersection operates at midrange LOS "E" (i.e., 68 seconds per vehicle [as allowed by the General Plan in some locations] and for State Highways facilities) or better under existing or future baseline conditions, the addition of project trips degrades the intersection operations to LOS "F". The project mitigation should result in facility operations at mid-range LOS "E", at a minimum.
 - If the proposed project is on a Crucial Corridor (including Imola and Soscol Avenues) and the property is zoned T1, the project generates more than 520 trips/gross acre/day (or gross floor area equivalent).
- Substantially increases hazards due to a design feature or incompatible uses.
- Results in inadequate emergency access. A significant impact would occur if adequate emergency access is not provided within the site.
- Results in inadequate parking capacity.
- Conflict with adopted policies, plans, or programs supporting alternative transportation.
- Conflict with any applicable land use plans, policies, regulations, or ordinances, of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating transportation impacts.

Impact: **Impact TRA-1: Imola Avenue from Soscol Avenue to SR 29 (Westbound):** The addition of project traffic would degrade the roadway LOS from D to F during the weekday PM peak hour. Average speed decreases from 19 mph to 12 mph. This project impact is considered *potentially significant* for the weekday PM peak hour.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Coordination and optimization of signal timing in the corridor to meet the City's LOS standard could reduce the impact to Imola Avenue from Soscol Avenue to SR 29 (Westbound) in the weekday PM peak hour to a level of less than significant.

Mitigation Measure TRA-1: The project applicant shall design and fund a program to coordinate traffic signals and optimize signal timing throughout the corridor. This program shall be submitted to the City of Napa for review and approval before building permits for Phase I of the Master Plan project may be issued.

Impact: **Impact TRA-2: Soscol Avenue from Silverado Trail to Imola Avenue (Northbound and Southbound):** In the northbound direction, the project contributes to LOS F conditions during the weekday and weekend PM peak hour with a speed reduction from 14 mph to 13 mph during the weekend PM peak hour. In the southbound direction, the project contributes to unacceptable LOS F and LOS E conditions during both the weekday and weekend PM peak hours, respectively. The project adds more than 50 project trips to Soscol Avenue in both directions. This project impact is considered *potentially significant* for both weekday and weekend PM peak hours.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Coordination and optimization of signal timing in the corridor to meet the City's LOS standard could reduce the impact to Soscol Avenue from Silverado Trail to Imola Avenue (Northbound and Southbound) in the weekday and weekend PM peak hours to a level of less than significant.

Mitigation Measure TRA-2: The project applicant shall design and fund a program to coordinate traffic signals and optimize signal timing throughout the corridor. This program shall be submitted to the City of Napa for review and approval before building permits for Phase I of the Master Plan project may be issued.

Impact: **Impact TRA-3: Third Street/Silverado Trail (SR 121)/Coombsville Road/East Avenue:** The project contributes to baseline LOS F conditions and adds 108 trips during the weekday PM peak hour.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant. However, in the absence of an identified funding mechanism or time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: The provision of a right-turn lane at the Coombsville Road approach, and striping the new right-turn lane for turning movements northbound on Silverado Trail and East Avenue (or restricting traffic from entering the intersection from East Avenue) would reduce the impact to a level of less than significant since the City's LOS standard would be met. However, until this mitigation can be implemented (with a funding mechanism and a time frame for implementation clearly identified), this impact to Third Street/Silverado Trail (SR 121)/Coombsville Road/East Avenue in the weekday PM peak hour would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-3: The project applicant shall contribute a "fair share" of the costs to provide a right-turn lane at the Coombsville Road approach and to stripe and sign the new right-turn lane for turning movements northbound on Silverado Trail and East Avenue OR to restrict traffic from entering the intersection from East Avenue (i.e., make East Avenue one-way in the northbound direction). The City has not identified a timeframe for implementation.

Impact: **Impact TRA-4: Imola Avenue (SR 121)/Gasser Drive:** The addition of project traffic degrades intersection operations from LOS D to LOS F and adds 751 trips to this intersection during the weekday and weekend PM peak hours.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Intersection improvements (e.g., lane striping and construction of an additional left-turn lane) are currently being designed to meet the City's LOS standard, and would reduce the impacts at Imola Avenue (SR 121)/Gasser Drive in the weekday and weekend PM peak hours to a level of less than significant.

Mitigation Measure TRA-4: The Project applicant shall implement the following improvements before obtaining building permits for Phase I of the project: Stripe southbound approach as a left-turn lane and two exclusive right-turn lanes and provide right-turn overlapping traffic signal phasing. Construct an additional left-turn lane for the eastbound approach and provide 200 feet of storage for both left-turn lanes. The 200-foot eastbound left-turn lanes are required to reduce queuing. Due to the right-of-way constraints, extending the single left-turn lane is precluded as it would encroach on the Maxwell Bridge. Stripe Gasser Drive north of Imola Avenue to provide a through lane and a shared-through-right-turn lane at the South Napa Marketplace entrance and merge the two through lanes into a single lane north of the entrance. These improvements are currently being designed.

Impact: **Impact TRA-5: Imola Avenue (SR 121)/Soscol Avenue:** The project contributes to LOS F conditions during the weekday PM peak hour. The project adds 78 trips to the intersection. Operations degrade from LOS E to LOS F during the weekend PM peak hour.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant, However, in the absence of an identified funding mechanism or time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: The addition of a left-turn lane on the eastbound approach and an exclusive right-turn lane on the western approach to this intersection would reduce the impact to a level of less than significant since the City's LOS standard would be met. However, until this mitigation can be implemented (with a funding mechanism and a time frame for implementation clearly identified), this impact to Imola Avenue (SR 121)/Soscol Avenue in the weekday PM peak hour would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-5: The project applicant shall contribute a "fair share" toward implementation of the following improvements: an additional left-turn lane on the eastbound approach and an exclusive right-turn lane on the westbound approach and provide protected phasing for the eastbound and westbound left-turn movements. Plans for the eastbound and westbound improvements are currently being designed. These plans show that additional right-of-way is required for the eastbound and westbound

improvements. Based on year 2010 traffic projections, the eastbound left-turn requires approximately 250 feet of storage and the westbound right-turn requires approximately 100 feet of storage. The required eastbound and westbound storage is an approximation; a study shall be conducted to refine the pocket lengths and lane widths when the developer applies for an encroachment permit.

Alternative Mitigation: As an alternative to providing TRA-5, the project applicant implement the Gasser/ Soscol/Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element.

Alternative Mitigation Measure TRA-5A: Implement the Gasser/Soscol/Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element. This improves the eastbound to northbound traffic movement by shifting traffic to the Gasser Drive corridor. About 100 peak hour vehicle trips shift from the eastbound left-turn movement to Gasser Drive, thereby eliminating the project-specific impact on the Soscol Avenue corridor north of Imola Avenue and improving Imola Avenue approaching Soscol Avenue from the west. Alternative Mitigation Measure TRA-5A requires that an acceptable financing plan will be developed between the City of Napa and the project applicant to cover the costs of the intersection realignment.

Impact: **Impact TRA-6: SR 12-SR 121/SR 29:** The project would contribute to LOS F conditions and would add 94 trips to the intersection during the weekday and weekend PM peak hours.

Finding: Mitigation measures have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Although the applicant's payment of the SIF would adequately mitigate the project's cumulative impact at this interchange, until this mitigation can be implemented (with a time frame for implementation clearly identified), this impact to SR 12-SR 121/SR 29 in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-6: The ultimate improvement for the future Cameros interchange as the SR-12/SR-121/SR-29 intersection is in the City's SIF program. The applicant's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.

Impact: **Impact TRA-7: Soscol Avenue/Sousa Lane:** The project would contribute to LOS F conditions and would add 191 trips to the intersection during both the weekday and weekend PM peak hours. The intersection meets traffic signal warrant criteria and the project would contribute to this need.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: The applicant's payment of the SIF, and funding of reconfiguration of this intersection to provide a left-turn and a shared-through-right-turn lane on both the eastbound and westbound approaches to meet the City's LOS standard would reduce this impact to Soscol Avenue/Sousa Lane in the weekday and weekend PM peak hours to a level of less than significant.

Mitigation Measure TRA-7: Before the applicant obtains building permits to construct Phase I, the project applicant shall pay SIF to signalize this intersection. In addition, the applicant shall fund and design reconfiguration of this intersection to provide a left-turn lane and a shared-through-right-turn lane on both the eastbound and westbound approaches.

Impact: **Impact TRA-8: SR 29 SB Ramps/Imola Avenue:** The project would contribute to existing LOS F conditions during the weekday and weekend PM peak hours. The project would add 254 trips to this intersection.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Although the applicant's payment of the SIF would adequately mitigate the project's cumulative impact at this intersection, until this mitigation can be implemented (with a time frame for implementation clearly identified), this impact to SR 29 SB Ramps/Imola Avenue in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-8: The ultimate improvement for the future traffic signals at the intersection of SR-121 (Imola Avenue) and the SR-29 SB ramps is in the City's SIF program. The project's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.

If the project build out implementation of the "South" area occurs after the installation of the future traffic signals, the project shall design and fund a program to coordinate the traffic signals and optimize signal timing throughout the Imola Avenue corridor, (i.e. from the SR-29 SB Ramps up to Soscol Ave), to serve post-project build out traffic conditions.

Impact: **Impact TRA-9: SR 29 NB Ramps/Imola Avenue:** The project would contribute to baseline LOS F conditions and would add 450 trips to the intersection during both the weekday and weekend PM peak hours.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Although the applicant's payment of the SIF would adequately mitigate the project's cumulative impact at this location, until this mitigation can be implemented (with a time frame for implementation clearly identified), this impact to SR 29 NB Ramps/Imola Avenue in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-9: The ultimate improvement for the future traffic signals at the intersection of SR-121 (Imola Avenue) and the SR-29 NB ramps is in the City's Street Improvement Fee (SIF) program. The project's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.

If the project build out implementation of the "South" area occurs after the installation of the future traffic signals, the project shall design and fund a program to coordinate the traffic signals and optimize signal timing throughout the Imola Avenue corridor, (i.e. from the SR-29 SB Ramps up to Soscol Ave), to serve post-project build out traffic conditions.

Impact: **Impact TRA-10:** *Imola Avenue from Soscol Avenue to SR 29 (westbound and eastbound):* In the westbound direction, the addition of project traffic would degrade roadway operations from LOS D to LOS F and average speeds would decrease from 18 mph to 10 mph during the weekday PM peak hour. Weekend PM peak hour operations would degrade from LOS C to LOS E and average speed would decrease from 23 mph to 16 mph. In the eastbound direction, the addition of project traffic would degrade roadway operations from LOS D to LOS E and average speed would decrease from 20 mph to 17 mph during the weekday PM peak hour. Weekend PM peak hour roadway operations would remain at LOS D.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Coordination and optimization of signal timing in the corridor to meet the City's LOS standard would reduce the impact to Imola Avenue from Soscol Avenue to SR 29 (westbound and eastbound) in the weekday PM peak hour to a level of less than significant.

Mitigation Measure TRA-10: Implement Mitigation Measure TRA-1.

Impact: **Impact TRA-11:** *Soscol Avenue from Silverado Trail to Imola Avenue (northbound and southbound):* The addition of project traffic would contribute to LOS F conditions during both the weekday and weekend PM peak hours. In the northbound direction, the project would decrease speeds from 12 mph to 10 mph. The project would contribute more than 50 trips to the roadway segment.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Coordination and optimization of signal timing in the corridor, and traffic lane reconfiguration along Soscol Avenue to provide six lanes within the existing right-of-way

to meet the City's LOS standard would reduce the impact to Soscol Avenue from Silverado Trail to Imola Avenue (northbound and southbound) in the weekday and weekend PM peak hours to a level of less than significant.

Mitigation Measure TRA-11: In addition to the improvements listed in Mitigation Measure TRA-2 (i.e. traffic signal coordination along the Soscol Ave corridor), the project shall design and implement the widening of Soscol Avenue to six lanes between north of Magnolia Dr and south of Silverado Trail through pavement signing and striping while staying within the existing public street right-of-way. This corridor widening is not anticipated to require new right-of-way.

Impact: **Impact TRA-12: Soscol Avenue/Lincoln Avenue:** The project would contribute to LOS E conditions and would add 160 trips to this intersection during the weekday PM peak hour.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: The provision of a second southbound left-turn lane on Soscol Avenue and overlap traffic signal phasing for the westbound right turn on Lincoln Avenue would reduce the impact to a level of less than significant since the City's LOS standard would be met. However, until this mitigation can be implemented (with a time frame for implementation clearly identified), this impact to Soscol Avenue/Lincoln Avenue in the weekday PM peak hour would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-12: Before the applicant obtains building permits to construct Phase II, the project applicant shall pay a "fair share" contribution to provide a second southbound left-turn lane on Soscol Avenue and overlap traffic signal phasing for the westbound right-turn on Lincoln Avenue. The City of Napa has not identified a timeframe for implementation.

Impact: **Impact TRA-13: Third Street/Silverado Trail (SR 121)/Coombsville Road/ East Avenue:** The project would contribute to LOS F conditions and would add 223 trips to this intersection during the weekday PM peak hour.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: The provision of a right-turn lane at the Coombsville Road approach, striping/signing the new right-turn lane for turning movements northbound on Silverado Trail and East Avenue, and restricting traffic from entering the intersection from East Avenue would reduce the impact to a level of less than significant since the City's LOS standard would be met. However, until this mitigation can be implemented (with a time frame for

implementation clearly identified), this impact to Third Street/Silverado Trail (SR 121)/Coombsville Road/ East Avenue in the weekday PM peak hour would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-13: Before the applicant obtains building permits to construct Phase II, the project applicant shall pay a "fair share" contribution to provide a right-turn lane at the Coombsville Road approach, stripe and sign the new right-turn lane for turning movements northbound on Silverado Trail and East Avenue, and restrict traffic from entering the intersection from East Avenue (i.e., make East Avenue one-way in the northbound direction).

Impact: **Impact TRA-14: Silverado Trail (SR 121)/Soscol Avenue:** The addition of project traffic would degrade intersection operations from LOS D to LOS E and add 138 trips to this intersection during the weekday and weekend PM peak hours.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified financing plan and a time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: The reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection consistent with the City's Transportation Element would reduce the impact to a level of less than significant since the City's LOS standard would be met. However, until this mitigation can be implemented (with a financing plan and a time frame for implementation clearly identified), this impact to Silverado Trail (SR 121)/Soscol Avenue in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-14: Prior to completion of Phase II of the Master Plan the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be reconstructed consistent with the City of Napa Transportation Element. An acceptable financing plan will shall be developed between the City of Napa and the project applicant to cover the costs of the construction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection realignment. (Gasser Drive and Silverado Trail shall intersect Soscol Avenue at about 90 degree angles to form a standard four-leg intersection.) The realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be in accordance with the plans and specifications approved by the City of Napa and Caltrans. The project applicant shall provide the improvement plans for the ultimate realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection at the time of the review of the subdivision map and related improvement plans for the "North" area.

Impact: **Impact TRA-15: Imola Avenue/Jefferson Street:** The addition of project traffic would degrade intersection operations from LOS E to LOS F during the weekday PM peak hour. Weekend PM peak hour operations would remain at LOS D and the project would add 681 trips to this intersection.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding

conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Construction of a left-turn lane on the southbound approach and reconfiguration of the approach to provide a left-turn lane, a shared-through-left-turn lane and a right-turn lane to meet the City's LOS standard would reduce the impact to Imola Avenue/Jefferson Street in the weekday PM peak hour to a level of less than significant.

Mitigation Measure TRA-15: Before the applicant obtains building permits to construct Phase II, the project applicant shall be responsible for designing and funding the construction of a left-turn lane on the southbound approach and reconfigure this approach to provide a left-turn lane, a shared-through-left-turn lane, and a right-turn lane.

Impact: **Impact TRA-16: Imola Avenue/Coombs Street:** The addition of project traffic would degrade intersection operations from LOS D to worse than midrange LOS E during the weekday PM peak hour. Weekend PM peak hour operations would remain at LOS D. The project would add 710 trips to the intersection.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Provision of right-turn overlap traffic signal phasing for the eastbound approach to meet the City's LOS standard would reduce the impact to Imola Avenue/Coombs Street in the weekday PM peak hour to a level of less than significant.

Mitigation Measure TRA-16: Before the City issues building permits to construct Phase II, the project applicant shall provide funding for right-turn overlap traffic signal phasing for the eastbound approach.

Impact: **Impact TRA-17: Imola Avenue/Gasser Drive:** The addition of project traffic would degrade intersection operations from LOS D to LOS F and add 849 trips to this intersection.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Intersection improvements (e.g., lane striping and construction of an additional left-turn lane) are currently being designed to meet the City's LOS standard, and would reduce the impacts to Imola Avenue/Gasser Drive in the weekday and weekend PM peak hours at this intersection to a level of less than significant.

Mitigation Measure TRA-17: Implement Mitigation Measure TRA-4.

Impact: **Impact TRA-18: Soscol Avenue (SR 121)/Kansas Avenue:** The addition of project traffic would degrade intersection operations from LOS D to worse than midrange LOS E during the weekday PM peak hour and from LOS D to LOS F during the weekend PM peak hour. The project would add 189 trips to this intersection.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: The provision of turn lanes, addition of overlap and protected/permitted phasing, and provision of adequate storage for turn movements to meet the City's LOS standard would reduce the impact to Soscol Avenue (SR 121)/Kansas Avenue in the weekday and weekend PM peak hours to a level of less than significant.

Mitigation Measure TRA-18: The applicant shall re-stripe the eastbound approach to provide two left-turn lanes and a shared-through-right-turn lane. Provide one left-turn lane, two through lanes, and one right-turn lane on both the northbound and southbound approaches. The applicant shall also add an overlap phase for the westbound and southbound right-turn movements and provide protected-permitted phasing for the southbound left-turn movement. Based on year 2010 traffic projections, approximately 300 feet of storage is required for the eastbound left-turn; therefore, the eastbound left-turn lanes should be approximately 150 feet. This storage requirement is an approximation; a study shall be conducted to refine pocket lengths and lane widths when the applicant applies for an encroachment permit.

Alternative Mitigation Measure TRA-18A: As an alternative to providing TRA-18, the project applicant could implement the Gasser/ Soscol/Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element. *(NOTE: Until this mitigation can be implemented (with a financing plan and a time frame for implementation clearly identified), this impact would remain significant and unavoidable in the short- to mid-term.)*

Alternative Mitigation Measure TRA-18A: Prior to completion of Phase II of the Master Plan the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be reconstructed consistent with the City of Napa Transportation Element. An acceptable financing plan shall be developed between the City of Napa and the project applicant to cover the costs of the construction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection realignment. Gasser Drive and Silverado Trail shall intersect Soscol Avenue at about 90 degree angles to form a standard four-leg intersection.) The realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be in accordance with the plans and specifications approved by the City of Napa and Caltrans. The project applicant shall provide the improvement plans for the ultimate realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection at the time of the review of the subdivision map and related improvement plans for the "North" area. *(NOTE: Until this mitigation can be implemented (with a financing plan and a time frame for implementation clearly identified), this impact would remain significant and unavoidable in the short- to mid-term.)*

Impact: **Impact TRA-19: Soscol Avenue (SR 121)/Shetler Avenue:** The addition of project traffic at this intersection would degrade the operations of Soscol Avenue. (Note: This intersection would operate at LOS C or better during the weekday and weekend PM peak hours; however, the addition of project traffic contributes to the poor operation of Soscol Avenue.)

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Intersection improvements (e.g., modification of the eastbound approach, addition of a northbound and southbound through lane, and overlap phasing) to meet the City's LOS standard, and would reduce the impacts to Soscol Avenue (SR 121)/Shetler Avenue in the weekday and weekend PM peak hours to a level of less than significant.

Mitigation Measure TRA-19: The applicant shall pay the project's "fair share" contribution to modify the eastbound approach to a left-turn lane, shared left-through-right-turn lane, and a right-turn lane. Also, an additional northbound and southbound through lane should be constructed on Soscol Avenue and overlap phasing should be provided for the eastbound, northbound, and southbound right-turns.

Impact: **Impact TRA-20: Imola Avenue/Soscol Avenue:** The project would contribute to LOS F intersection operations and add 104 trips to this intersection during the weekday and weekend PM peak hours.

Finding: Mitigation measures and corresponding conditions of approval have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified financing plan and a time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Construction of an additional left-turn lane on the eastbound approach, construction of an exclusive right-turn lane on the western approach, applicant payment of the SIF for the addition of a through lane on Soscol Avenue in both directions, and the provision of protective phasing and adequate vehicle storage for turn movements would reduce the impact to a level of less than significant since the City's LOS standard would be met. However, until this mitigation can be implemented (with a financing plan and a time frame for implementation clearly identified), this impact to Imola Avenue/Soscol Avenue in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-20: Before the applicant obtains building permits to construct Phase II, the project applicant shall fund the construction of an additional left-turn lane on the eastbound approach, an exclusive right-turn lane on the westbound approach. In addition, the applicant shall pay SIF for the construction of an additional through lane on Soscol Avenue in both directions. The Applicant shall provide protected phasing for the eastbound and westbound left-turn movements. Plans for the eastbound and westbound improvements are currently being designed. These plans show that additional right-of-way is required for the eastbound and westbound improvements. Based on year 2010 traffic projections, the eastbound left turn will require approximately 250 feet of storage and the westbound right turn will require approximately 100 feet of storage. The required eastbound and westbound storage are approximated; a study shall be conducted to refine the pocket lengths and lane widths when the applicant applies for an

encroachment permit. The City of Napa has not identified a timeframe for implementation.

Impact: **Impact TRA-21: SR 12-SR 121/SR 29:** The project would contribute to LOS F intersection operations and add 109 trips to this intersection during the weekday and weekend PM peak hours.

Finding: Mitigation measures have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Although the applicant's payment of the SIF would adequately mitigate the project's cumulative impact at this interchange, until this mitigation can be implemented (with a time frame for implementation clearly identified), this impact to SR 12-SR 121/SR 29 in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-21: Implement Mitigation Measure TRA-6.

Impact: **Impact TRA-22: Soscol Avenue/Sousa Lane:** The project would contribute to LOS F intersection operations, increase total delay by more than 4.0 vehicle-hours, and add 579 trips to this intersection during the weekday and weekend PM peak hours.

Finding: Mitigation measures have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified financing plan and a time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: The reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection consistent with the City's Transportation Element would reduce the impact to a level of less than significant since the City's LOS standard would be met. However, until this mitigation can be implemented (with a financing plan and a time frame for implementation clearly identified), this impact to Soscol Avenue/Sousa Lane in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-22: Implement Mitigation Measure TRA-14. An acceptable financing plan will be developed between the City of Napa and the project applicant to cover the costs of the intersection realignment.

Impact: **Impact TRA-23: SR 29 SB Ramps/Imola Avenue:** The project would contribute to LOS F intersection operations and add 298 trips to this intersection during weekday and weekend PM peak hours.

Finding: Mitigation measures have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the

implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Although the applicant's payment of the SIF would adequately mitigate the project's cumulative impact at this intersection, until this mitigation can be implemented (with a time frame for implementation clearly identified), this impact to SR 29 SB Ramps/Imola Avenue in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-23: Implement Mitigation Measure TRA-8.

Impact: **Impact TRA-24: SR 29 NB Ramps/Imola Avenue:** The project would contribute to LOS F intersections operations and add 549 trips to this intersection during the weekday and weekend PM peak hours.

Finding: Mitigation measures have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame for the implementation of the mitigation measure identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Although the applicant's payment of the SIF would adequately mitigate the project's cumulative impact at this location, until this mitigation can be implemented (with a time frame for implementation clearly identified), this impact to SR 29 NB Ramps/Imola Avenue in the weekday and weekend PM peak hours would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-24: Implement Mitigation Measure TRA-9.

Impact: **Impact TRA-25:** Development of the project would result in a cumulative deterioration on roadway and intersection LOS operations. This impact is considered a *potentially significant* cumulative impact (Note: As explained in the Standards of Significance, if the project causes an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system, the impact is considered significant.)

Finding: Mitigation measures have been identified that would reduce the significant environmental effect as identified in the Final EIR to a level of less than significant since the City's LOS standard would be met. However, in the absence of an identified time frame and/or financing mechanisms for the implementation of some mitigation measures identified Final EIR, this impact would remain significant and unavoidable in the short- to mid-term.

Explanation: Although the applicant's payment of the SIF would help fund improvements identified by the City to address cumulative traffic impact conditions, until all applicable mitigations can be implemented (with a time frame for implementation clearly identified), this cumulative traffic impact would remain significant and unavoidable in the short- to mid-term.

Mitigation Measure TRA-25: In addition to Mitigation Measures TRA-1 through TRA-24, the applicant shall pay the basic SIF at the time of building permit issuances, in accordance with Napa Municipal Code Chapter 15.84, to fund improvements identified by the City to address cumulative impact conditions.

Impact: **Impact TRA-26:** Approximately 955 parking spaces would be required to meet the parking demand for Gasser South as originally proposed. Approximately 1,388 parking spaces would be required to meet the parking demand for Gasser North as originally proposed. Both areas will have changes in the site plan and use mix concepts proposed in 2004. Not providing parking spaces to meet demand would be considered a *potentially significant* project impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Once the applicant demonstrates to the City that all parking at the site will be provided consistent with City parking standards, this parking supply impact would be reduced to a level of less than significant.

Mitigation Measure TRA-26: Before the applicant obtains any Design Review Permit (and any Conditional Use Permit approval) for each of the Gasser Zoning Districts, the applicant shall demonstrate that the project can provide parking consistent with City parking standards to meet the demand for parking for all proposed uses.

Shared parking allows for a net reduction in overall parking spaces while meeting estimated parking demand.

Given the distance between Gasser South and Gasser North, no shared parking is permitted between these areas. Shared parking may be permitted between distinct uses on the project site so long as the applicant demonstrates that each use will have sufficient parking to meet demand. As provided in the Zoning Code, section 17.54.080, shared parking may be permitted with a Use Permit provided that the shared parking spaces are:

1. Located in a common parking lot or off-site convenient to the use(s) requiring the parking; and
2. The parking will be secured for the use(s) requiring the parking by ownership and/or agreements sufficient to guarantee the long term use of the site for such parking; and
3. The applicant is able to show through a parking analysis that peak demand for spaces from all uses will be met. A possible option for determining shared parking arrangements includes the Urban Land Institute Publication "Shared Parking."
4. In no instance shall the total parking required be less than would be required for any one of the independent uses.

Impact: **Impact TRA-27:** Handicap-accessible parking is necessary so that people with mobility issues are not exposed to the general traffic circulation activities that occur within parking areas. According to the *Americans with Disabilities Act (ADA) Standards for Accessible Design* (Department of Justice, revised July 1, 1994), a minimum of 2 percent of the total parking spaces in areas providing 501 to 1,000 parking spaces must be handicap accessible. The City's code does not provide information on the minimum number of required accessible spaces. The project must comply with ADA standards. Non-compliance is considered a *potentially significant* project impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Once the applicant demonstrates to the City that all parking to be provided at the site will be in compliance with ADA requirements, this accessible parking impact would be reduced to a level of less than significant.

Mitigation Measure TRA-27: The applicant shall comply with ADA standards for configuration and number of handicap accessible parking spaces and proximity of such parking to building pedestrian access points.

Impact: **Impact TRA-28:** The site plan also does not identify sidewalks and paths to accommodate transit-dependent users once they are on-site.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Installation of bus turnouts and bus shelters as recommended by VINE would reduce this transit impact to a level of less than significant.

Mitigation Measure TRA-28: Install bus turnouts and bus shelters along the project frontage based on recommendations from VINE and provide pedestrian sidewalks and paths connecting the identified stops to site destinations.

To implement Mitigation Measure TRA-28 the applicant shall include the following:

Site Infrastructure

- Work with VINE to determine appropriate location(s) for a bus pullout, bus shelter, and/or transit stop (e.g., Gasser Drive/Hartle Court, Gasser Drive/Kansas Avenue, and Bay Trail/Hartle Court).
- Construct bus pullouts, bus shelters, and/or transit stops at VINE-recommended location(s).

Project Design Parameters

- Provide pedestrian connections that are accessible to all users, including the transit-dependent user, between the VINE-recommended transit stop(s) and the site building pads.
- Connections shall be designed to meet ADA standards and be consistent with FHWA's *Best Practices Design Guide: Part 2 Designing Sidewalks and Trails for Access*.
- The applicant shall be responsible for financing and implementing the measures at the time building permits are granted for the site infrastructure construction and subsequent building pad construction.

Impact: **Impact TRA-29a:** Gasser Drive is classified as a “collector” in the City of Napa Transportation Element, connecting two State highway facilities, as well as the one connection for bicyclists, pedestrians, and vehicles between Gasser North and Gasser South. Each of the ten driveways on Gasser Drive between Imola Avenue and Soscol Avenue represent a break in the pedestrian and bicycle corridor where vehicle conflicts occur for bicycle and pedestrian travel between Gasser North and Gasser South. The additional vehicle traffic turning to and from the Gasser development represents a *less than significant* project impact to pedestrians and bicycles users.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the construction of all bicycle and pedestrian facilities identified in the Gasser Master Plan, this bicycle/pedestrian impact would be reduced to a level of less than significant.

Mitigation Measure TRA-29: The developer would be responsible for constructing the bicycle and pedestrian facilities identified in the Gasser Master Plan and supporting efforts to enhance bicycle and pedestrian connections to the project site.

Steps taken to implement Mitigation Measure TRA-29 shall include:

Site Infrastructure

- Apply design guidelines from the *Highway Design Manual* published by Caltrans and FHWA's *Best Practices Design Guide: Part 2 Designing Sidewalks and Trails for Access* for bicycle and pedestrian facilities. Consistent facility design standards, throughout the project site, promote a safe and effective system for both bicyclists and pedestrians.
- Provide a minimum bike lane width in accordance with City bicycle width path standards on Gasser Drive and Hartle Court.
- Provide a bicycle and pedestrian linkage between Gasser North and Gasser South and provide way-finding signing directing users destined for the San Francisco Bay Trail (from the north) to use the bicycle and pedestrian linkage between Gasser North and Gasser South rather than Gasser Drive and Hartle Court.

Project Design Parameters

- Provide bicycle parking facilities within the project site and adequate access to these facilities.
- Provide enough bicycle parking facilities to either meet the City's code or meet the amount required in a parking demand needs assessment.
- Comply with ADA standards throughout project site.

- Provide pedestrian linkages on site between the public streets, parking lots, and the building pads.
- Provide special treatments on site at locations of potential pedestrian/vehicle conflict.
- Develop a management plan to minimize vehicle/pedestrian conflicts during high activity periods. Focus the plan on the theater operations, holiday period operations, and Bay Trail access.

The applicant shall be responsible for financing and implementing the measures at the time building permits are granted for the site infrastructure construction and subsequent building pad construction.

Impact: **Impact TRA-29b:** The site plan shown on Figure 3-7 in DEIR Chapter 3 is not sufficiently detailed to identify pedestrian and bicycle linkages to and within the project site, and the Master Plan does not contain specific design guidelines to ensure consistent site design and engineering for pedestrian and bicycle facilities as the phased development occurs. Without these guidelines pedestrian and bicycle linkages within and around the site could become discontinuous.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the construction of all bicycle and pedestrian facilities identified in the Gasser Master Plan, this bicycle/pedestrian impact would be reduced to a level of less than significant.

Mitigation: See Mitigation Measure TRA-29, above.

Impact: **Impact TRA-29c:** The location of the theater entrance facing the main parking lot would result in pedestrian and vehicle conflicts as a result of patrons being dropped off or picked up, pedestrians walking between the theater and the parking area, and pedestrian spillover from the sidewalk area. These conflicts are typical of large theater operations such as those in downtown Walnut Creek, Redwood City, and San Leandro. Theater operators or cities often impose traffic and parking management procedures to minimize conflicts and promote safety during peak periods when the potential for conflict is greatest. This project impact is considered potentially significant if conditions of approval and other agreements do not allow flexibility for the City to impose traffic parking management strategies.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the construction of all bicycle and pedestrian facilities identified in the Gasser Master Plan, this bicycle/pedestrian impact would be reduced to a level of less than significant.

Mitigation: See Mitigation Measure TRA-29, above.

Impact: **Impact TRA-30a:** The southernmost driveway to the Gasser South site is shown on the site plan to intersect at an acute angle to Gasser Drive, which would make the right turn movement from Gasser Drive onto the site difficult to maneuver, potentially causing drivers to slow excessively or make a wide right-turn movement which could adversely impact vehicle traffic in adjacent travel lanes and potentially cause rear-end collisions. The acute angle would also reduce the turning angle for traffic exiting the site, resulting in an increase in driver speed which could adversely impact bicycle and pedestrian safety along the Gasser Drive corridor across the driveway.

Impact TRA-30b: Gasser North has three right-in/right-out driveways on Soscol Avenue which connect three smaller surface parking lots, and are used for site access and traffic circulation. Successive driveways on four-lane roadways with significant traffic levels increase the potential for rear-end accidents and vehicular conflicts with bicycles and pedestrians. These conflicts are further exasperated by the short driveway throats (the distance between the driveway and parking) which could become congested as drivers maneuver in and out of parking spaces.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the construction of all street and driveway improvements identified in the Gasser Master Plan, this circulation impact would be reduced to a level of less than significant.

Mitigation Measure TRA-30: Construct improvements identified in the Gasser Master Plan to facilitate access to the site and circulation within the site including measures identified in Mitigation Measures TRA-1 and TRA-2.

To implement Mitigation Measure TRA-30 and reduce the Impacts TRA-30a through TRA-30c to *less-than-significant* levels, the applicant shall include the following:

Site Infrastructure

- Design project frontage and street improvements consistent with Napa standards.
- Left-turn pockets on Gasser Drive shall be a minimum of 100 feet except at Hartle Court where the left-turn pocket shall be at least 350 feet.
- Provide a minimum 150-foot throat depth on Hartle Court at Gasser Drive.
- Provide a minimum 100-foot throat depth at the driveway south of Hartle Court.
- Provide a minimum 50-foot throat depth at all other driveways to the project site.
- Intersect all driveway and roadway connections to the public streets perpendicular to the public street. Driveway connections to the private road connecting Oil Company Road and Gasser Drive shall also be perpendicular.

- Provide one full access driveway to the commercial site at Soscol Avenue. Secondary driveways, if any, shall be right-in/right-out only.

The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.

Impact: **Impact TRA-30c:** An evaluation of the Gasser Drive extension was conducted by Crane Transportation Group; the results are presented in *Operations and Safety Study Gasser Drive between Soscol Avenue and Imola Avenue Year 2010* (December 2004). The City of Public Works Department commented on the evaluation in *Gasser Foundation Master Plan – Transportation Safety & Operations Review and Gasser Drive Review (02-134)* memorandum dated February 24, 2005 (Appendix C). The study indicates that with the exception of Hartle Court left-turning vehicle queues will be no greater than two vehicles. The left-turning vehicle queue at Hartle Court will extend back 12 or 13 vehicles. Insufficient left-turn lane storage to accommodate these vehicle queues will adversely impact traffic throughout the area.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the construction of all street and driveway improvements identified in the Gasser Master Plan, this circulation impact would be reduced to a level of less than significant.

Mitigation: See Mitigation Measure TRA-30, above.

Impact: **Impact TRA-31:** Delivery routing and receiving stations are intended to address the unique characteristics associated with delivery vehicle needs on the project site (i.e., over-size vehicles, frequent stops and vehicle backing). Once identified, driveways intended for delivery vehicles can be designed to incorporate features that minimize conflicts with general vehicular travel and other conflicts between delivery vehicles, pedestrians, and bicycles. Trucks for deliveries and refuse removal are needed to service each building pad. Emergency vehicle access to each building pad is also required. The site plans shown in Chapter 3 are not of sufficient detail to address delivery, refuse removal and emergency vehicle operations within the project site. Specific design guidelines are needed to ensure consistent site engineering as the phased development occurs. Lacking these guidelines delivery and refuse removal routing may be discontinuous or conflict with other site activities.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including conditions of approval and mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the implementation of vehicle delivery routing and receiving stations for all project uses, this circulation impact would be reduced to a level of less than significant.

Mitigation Measure TRA-31: Implement vehicle delivery routing and receiving stations for project uses.

To implement Mitigation Measure TRA-31 the applicant will:

Project Design Parameters

- Develop a consistent truck routing plan for the overall site throughout the phased development.
- Provide consistent signage to route delivery trucks through the site.
- Implement consistent design features throughout the phased development to minimize delivery conflicts with general use parking as well as pedestrian and bicycle flows on site.

The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.

Impact: **Impact TRA-32a:** Development of the project with discontinuous parking circulation (i.e., dead-end aisles) would create excessive conflicts between drivers, bicyclists, and pedestrians.

Impact TRA-32b: The Gasser South site plan as currently conceptualized includes several dead-end drive aisles, including one long row of parking in the northwest corner of the site. The current design presents potential conflicts between vehicles entering and exiting the lot, especially when no spaces are available and vehicles must maneuver out of the area, increasing the potential for accidents beyond those normally expected in a parking area. These maneuvers within parking aisles also pose a safety concern to pedestrians walking within the parking aisles to and from their vehicles.

Impact TRA-32c: There are several dead-end parking aisles within the residential component of Gasser North, which can result in excessive backing maneuvers if parking spaces are occupied. This is of particular concern in a residential area with children playing in the open areas around the buildings and adjacent to the parking areas.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including conditions of approval and mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the implementation of an overall site circulation plan to minimize discontinuous flows, this circulation impact would be reduced to a level of less than significant.

Mitigation Measure TRA-32: Develop an overall site circulation plan to minimize discontinuous vehicle flows (i.e., dead-end drive aisles).

To implement Mitigation Measure TRA-32 the applicant will:

Project Design Parameters

- Provide circulatory continuity through the phased development of the project.
- Lay out parking to eliminate dead-end parking circulation aisles or provide turnaround circles at the end of the dead-end parking aisle.

- Locate building pads adjacent to parking areas to minimize walking distance and define pedestrian circulation between building pads, circulation roads, and public access points.
- Comply with City Code standards for parking stall size and orientation, circulatory aisle widths, and other infrastructure.
- Provide appropriate lighting levels within parking areas, along pedestrian walkways, and at site interface with public streets.

The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.

Impact: **Impact TRA-33:** Ongoing construction of the project would affect vehicle, bicycle, and pedestrian circulation on the public roads and public access to the Bay Trail.

Development of the project would occur over several years as each building pad is developed and infrastructure improvements such as the Gasser Drive extension and bridge are made. If not properly planned, ongoing on-site construction may result in hazardous conditions for vehicle, pedestrian and bicycle travel on the internal streets. Without a construction management plan to address potential safety issues, this impact is considered *potentially significant*.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the implementation of Construction Management Plan (as approved by the City of Napa), this construction-related circulation impact would be reduced to a level of less than significant.

Mitigation Measure TRA-33: Develop and submit a Construction Management Plan (CMP) to the City of Napa for approval prior to commencement of any construction activities.

The provisions of a CMP are specifically designed to address the characteristics of construction-related traffic associated with development. Such plans identify construction phasing and the level and type of construction-related traffic. A few measures from the City of Napa's Policy Resolution 27 also apply and are indicated below. Elements of a CMP shall include:

Project Design Parameters

- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure procedures; signs, cones, and other warning devices for drivers; and designation of construction access routes.
- Provision for on-site construction staging.
- Notification to property owners and local jurisdictions when major deliveries, detours, or lane closures are required.

- Provision of on-site parking for all construction employees, site visitors, and inspectors.
- Provisions for street sweeping to remove construction-related debris.
- Designated general use site access and general employee and visitor parking and circulation areas on site, and any necessary off-site shuttle connectors to serve designated off-site parking supplies during construction.
- Provisions for open trenches during non-working hours shall be provided with appropriate signage, flashers, and barricades approved by the Street Superintendent to warn oncoming motorists, bicyclists, and pedestrians of potential safety hazards. (PR 27 Mitigation Transportation XV.2.)
- Provisions to maintain pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an alternate route established as approved by the Police Chief and Public Works Director. (PR 27 Mitigation Transportation XV.4.)
- Provision for signing and safety fencing to re-route pedestrians and bicyclists in case of lane closure on Gasser Drive, Hartle Court or Soscol Avenue.
- Provisions to restore all road surfaces to pre-project conditions after completion of any project-related activities in the public right-of-way. (PR 27 Mitigation Transportation XV.3.)

Impact: **Impact TRA-34:** DEIR Table 4.3-15 discusses the extent to which the project would conflict with a number of the relevant goals and policies in the City of Napa General Plan.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the successful implementation of the traffic mitigation measures identified in the EIR, potential General Plan consistency conflicts would be reduced to a level of less than significant.

Mitigation: With implementation of Mitigation Measures TRA-1 through TRA-33 and the recommendations outlined in DEIR Table 4.3-15, Impact TRA-34 would be reduced to a *less-than-significant* level and no further mitigation would be required.

C. HYDROLOGY AND WATER QUALITY

Significance Criteria

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would be considered to have a significant hydrology or water quality impact if it would:

- Violate any water quality standards or waste discharge requirements.
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.
- Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- Otherwise substantially degrade water quality.
- Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance rate Map or other flood hazard delineation map.
- Place structures within a 100-year flood hazard area that would impede or redirect flood flows.
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- Be subject to siege, tsunami, or mudflow.
- Conflict with any applicable land use plans, policies, regulations, or ordinances, of an agency with jurisdiction over the project that were adopted for the purpose of protecting water quality or averting hydrologic impacts.

Impact: **Impact HYDRO-1: *Water quality (construction)*.** The disturbance of the project site during construction has the potential to substantially degrade the quality of runoff from the site to area waterways, including the Napa River and Tulocay Creek. This is considered a potentially significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Implementation of a Storm Water Pollution Prevention Plan (as approved by the RWQCB, and consistent with the City-approved stormwater management plan), implementation of an erosion and sediment control plan (approved by the Public Works Director), and effective prevention of the conveyance of construction materials and other pollutants into the storm drain system during construction would reduce this construction-related water quality impact to a level of less than significant.

Mitigation Measure HYDRO-1a: Storm Water Pollution Prevention Plan. The applicant/developer shall submit a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB prior to any grading or construction activity. The SWPPP must be consistent with the City-approved stormwater management plan. A copy of the transmittal, NOI, and a SWPPP shall be submitted to the City for its review and approval prior to the issuance of a grading and/or building permit. This information is required pursuant to the NPDES General Permit Regulations contained in State Water Quality Control Board Water Quality Order No. 2003-0005-DWQ and ensures pollution prevention planning by the applicant. (See also PR 27 Mitigation Hydrology and Water Quality VIII.4.)

Mitigation Measure HYDRO-1b: Erosion and Sediment Control. Implement Mitigation Measure GEO-6a and Mitigation Measure GEO-6b. Mitigation Measure GEO-6a provides that "the developer shall provide an erosion and sediment control plan and a schedule for implementation of approved measures to the Public Works Director for approval with the first improvement plans submitted for review. No grading and excavation shall be performed except in accordance with the approved plan and schedule. (PR 27 Mitigation Geology and Soils VI.3.)" Mitigation Measure GEO-6b provides that "hydroseeding of all disturbed slopes shall be completed by October 1; Developer shall provide sufficient maintenance and irrigation of the slopes such that growth is established by November 1." (PR 27 Mitigation Geology and Soils VI.4.) These measures require plans and actions that have been shown to significantly reduce construction-related erosion and sedimentation.

Mitigation Measure HYDRO-1c: Construction Materials. The applicant/developer shall ensure that no construction materials (e.g., cleaning fresh concrete from equipment) are conveyed into the storm drain system. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the stormwater drainage system. (PR 27 Mitigation Hydrology and Water Quality VIII.5.) This measure provides an explicit performance standard with regard to keeping construction materials out of the storm drain system and consequences, including remediation, for failure to do so.

Mitigation Measure HYDRO-1d: Pollutants. All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the stormwater system or ground water. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequences of construction materials into the stormwater drainage system. (PR 27 Mitigation Hydrology and Water Quality VIII.8.) This measure provides an explicit performance standard with regard to keeping pollutants out of the storm drain system during construction and consequences, including remediation, for failure to do so.

Impact: **Impact HYDRO-2: Water quality (long-term).** The Master Plan calls for the development of a variety of office, retail, commercial, residential, and other uses. Each new land use has the potential to degrade the quality of surface water runoff from the site to area waterways, including the Napa River and Tulocay Creek, which are already listed for nutrients, pathogens, and sediment. This is considered a potentially significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding

conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Effective implementation of a Stormwater Management Plan (approved by the Public Works Director) that incorporates Best Management Practices to the maximum extent practicable, the provision of appropriate drainage easements, and an operations and maintenance manual, and compliance with the PR 27 Hydrology and Water Quality mitigation requirements would reduce this long-term water quality impact to a level of less than significant.

Mitigation Measure HYDRO-2a: Stormwater Management Plan. Before the City can approve any phase of development at the project site, the applicant must demonstrate through a stormwater management plan for that development phase that is approved by the City Public Works Director that their proposed development plan meets the requirements of the City of Napa NPDES General Permit No. CAS000004 as detailed in Attachment 4 to the SWRCB Order No. 2003-005. This plan shall include the Storm Water Pollution Mitigation Plan ("SWPMP") as required by Napa Policy Resolution No. 27. (PR 27 Mitigation Hydrology and Water Quality VIII.10.) In terms of supporting documentation, the stormwater management plan will include calculation of post-construction BMP capacity to treat pollutants and other information necessary to support the proposed design. (Note: This mitigation measure also addresses the stormwater drainage system design and general flood hazards associated with it. See **Impacts HYDRO-3 and HYDRO-4.**)

Mitigation Measure HYDRO-2b: Best Management Practices. The stormwater management plan shall include best management practices (BMPs) for site design, source control, and treatment to the maximum extent practicable to reduce the potential for degradation of groundwater and surface water quality. The requirements will include at a minimum the BMPs and BMP standards specified by the City of Napa's Interim Policy Procedure for Post-Construction BMPs at commercial (includes office and retail) and residential sites, unless new guidance with superior water quality protection supersedes this document, in which case that standard shall be in force. For new residential and other development, the stormwater management plan shall incorporate the same BMPs as required for commercial development for grassy swales and inlet labels, as well as meeting the same standards for treatment control sizing as required of commercial developments. Specifically, all new storm drain inlets will be marked with permanent labels that state "No Dumping—Flows to River." This work shall be shown on improvement plans. (PR 27 Mitigation Hydrology and Water Quality VIII.11.)

In addition, to the maximum extent practicable, routine discharge of surface water to wetlands, from both commercial and residential developments and including overland flow, shall be required to either pass through a vegetated swale engineered for water quality protection according to requirements as detailed in the California BMP Handbook for New Development and Redevelopment, or through a 100-foot or wider vegetated buffer, or through a similarly effective BMP. Any exceptions to this requirement shall be noted in the proposed development plan. In no case shall vegetated buffers at delineated wetlands be less than 50 feet.

While the effectiveness of BMP's vary, the standard established by the City of Napa's Interim Policy Procedure for Post-Construction BMPs represents a reasonably prudent and practicable approach for significant new development in a water quality-impaired

basin that does not place an undue burden on new development compared to existing development. In this instance, additional measures have been specified. Water quality impacts from new development of land that was previously open space are generally proportional to the size of the developed area. Because of the large size of the proposed Gasser Master Plan project, the impaired condition of the waterways to which it drains, and the existing wetlands with habitat values that will temporarily detain drainage waters, additional water quality protection measures beyond these standard requirements are also appropriate. These additional specified BMP's will provide an increased level of source control and treatment for all proposed uses, including implementation of BMP standards for residential uses that are similar to commercial standards. They also provide additional protection to the wetland at the site. The effectiveness of a vegetated buffer is enhanced by lower slopes and longer flow lengths. Therefore, this mitigation measure specifically provides increased protection for the wetland by significantly increasing the effective length of flow through a vegetated buffer as water flows overland to the existing wetlands.

Mitigation Measure HYDRO-2c: Drainage Easements. The stormwater management plan shall show Type A, B, or C drainage easements for the drainage facilities shown on the plans according to the City of Napa Public Works Department Standard Specifications and Standard Plans, Drainage Easements. Easements shall have a minimum width of 15 feet. Pipes exceeding 24-inches in diameter or deeper than 5 feet will require wider easements as required by the City Public Works Director. These easements will provide protection and maintenance access to ensure continued function of such features.

Mitigation Measure HYDRO-2d: Stormwater Management Plan, further requirements. In terms of supporting documentation, the stormwater management plan will include post-construction BMP capacity to treat pollutants and other information necessary to support the proposed design.

Mitigation Measure HYDRO-2e: Stormwater Operations and Maintenance. The stormwater management plan shall include a specific facility operation and maintenance manual and program for each element. The maintenance plan must be acceptable to the Director of Public Works and the City Attorney. The plan shall comply with City and SWRCB requirements including, but not limited to, a detailed description of responsible parties, inspections, maintenance procedures for the detention system (e.g., the existing on-site detention basin, which is owned, operated, and maintained by the Flood Control District), including monitoring and documentation of annual reports to the Public Works Department and procedures for enforcement. Appropriate easements or other arrangements satisfactory to the Public Works Director and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to approval of the final/parcel map or issuance of a building permit, whichever comes first. (PR 27 Mitigation Hydrology and Water Quality VIII.12.) The funding plan for facility operation and maintenance shall also be included as part of the stormwater management plan. This plan shall include a signed statement from the developer accepting responsibility for maintenance and management of each element of the stormwater management plan until such time when the property is transferred to the City of Napa or another party, at which time the City or other party will assume responsibility. This mitigation measure will provide a greater level of assurance of the effective ongoing operation of the facilities on which the stormwater management system relies.

Mitigation Measure HYDRO-2f: Stormwater Plan Implementation. The elements of the approved stormwater management plan, including drainage easements, must be included in the submitted final site plan and grading and utilities plans to allow approval of grading and building permits. In addition, all drainage easements must be offered for dedication to the City on the Final/Parcel Map. This mitigation measure will provide a greater level of assurance of the full implementation of the stormwater management system.

Mitigation Measure HYDRO-2g: Other PR 27 Requirements. In accordance with Napa Policy Resolution No. 27 Attachment A, Section VIII (Hydrology and Water Quality), the stormwater management plan, drainage plan, and site development plan shall reflect, and the applicant shall meet, the following parallel and/or supplemental water quality management requirements:

- All materials that could cause water pollution (i.e., motor oil, fuels, paints, etc.) shall be stored and used in a manner that will not cause any pollution. All discarded material and any accidental spills shall be removed and disposed of at an approved disposal site. (PR 27 Mitigation Hydrology and Water Quality VIII.6.)
- Developer shall meet the requirements of discharging to a public storm drainage system as required to ensure compliance by the City with all state and federal laws and regulations related to stormwater as stipulated in the Clean Water Act (PR 27 Mitigation Hydrology and Water Quality VIII.10.)

Impact: **Impact HYDRO-3: Drainage impacts (other than water quality).** Alterations in the watercourses and drainage system for drainage through Gasser North and Gasser South may cause siltation or erosion impacts as well as drainage problems.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Effective implementation of a Stormwater Management Plan (approved by the Public Works Director) that incorporates Best Management Practices to the maximum extent practicable, the provision of appropriate drainage easements, and an operations and maintenance manual, design of drainage facilities that exceed or meet current Napa Public Works Department Standard Specifications, completion of an erosion/siltation evaluation (to be approved by the Public Works Director), and compliance with the PR 27 Hydrology and Water Quality mitigation requirements, would reduce this drainage impact to a level of less than significant.

Mitigation Measure HYDRO-3a: Stormwater Management. Implement Mitigation Measures HYDRO-2a, HYDRO-2b, HYDRO-2c, HYDRO-2d, HYDRO-2e, HYDRO-2f, and HYDRO-2g.

Mitigation Measure HYDRO-3b: Erosion/Siltation Evaluation: The applicant shall submit an evaluation of erosion/siltation hazards for each phase of the Gasser Master Plan, or elements thereof. The plans shall describe any actions that will construct or alter drainage elements or drainage patterns on the site. This plan evaluates the risk of erosion/sedimentation hazards created by the project's implementation. Finally, the plan

shall demonstrate that the project will not present a substantial risk of erosion or sedimentation and provide supporting documentation of the basis for the evaluation's conclusion. Approval of a grading permit shall be contingent on approval of the submitted erosion/siltation evaluation by the City Public Works Director. This evaluation may be submitted as part of the stormwater management plan.

Mitigation Measure HYDRO-3c: Stormwater Management Plan, Further Requirements.

This supplements Mitigation Measure HYDRO-3a, which requires the preparation and implementation of a stormwater management plan as specified by Mitigation Measure HYDRO-2a. In accordance with Napa Policy Resolution No. 27 Attachment A, Section VIII (Hydrology and Water Quality), the stormwater management plan, drainage plan, and site development plan shall also reflect, and the applicant shall meet, the following parallel and/or supplemental requirements:

- The stormwater management plan will specify implementation of a storm drain system, including any off-site components, that is designed to meet current City Engineering Division standards and that is sufficient to convey at least a 25-year storm, exceeding or meeting current Napa Public Works Department Standard Specifications in accordance with Napa Policy Resolution No. 27, Attachment A, Subsection XVI.5.
- The stormwater management plan shall include documentation of all storm drain calculations, including onsite and offsite runoff calculations, inlet capacity calculations, pipe flow calculations, and detention basin capacity calculations.
- To ensure adequate drainage control, the Developer of any project which introduces new impervious surfaces (roof, driveways, patios) which will change the rate of absorption of drainage or surface run-off shall submit a drainage and grading plan designed in accordance with Policy Resolution No. 17 and the City of Napa Public Works Department Standard Specifications to the Napa Public Works Department for its approval. (PR 27 Mitigation Hydrology and Water Quality VIII.1.)
- Side yards of each lot shall have of a minimum unobstructed width of five (5) feet; provided that commercial and certain types of residential development may be designed without side yards of any width, except where approved by the City Public Works Director as part of the Stormwater Management Plan. No building encroachments, door landings or mechanical equipment shall be placed in this unobstructed area without the review and approval of the City Public Works Director in order to assure adequate drainage. (PR 27 Mitigation Hydrology and Water Quality VIII.3.)

Mitigation Measure HYDRO-3d: Stormwater Operations, Maintenance, and Implementation. Implement Mitigation Measure HYDRO-2e: Stormwater Operations and Maintenance and Mitigation Measure HYDRO-2f: Stormwater plan implementation.

Impact:

Impact HYDRO-4: Flood hazards (baseline). The Master Plan calls for the development of a variety of office, retail, commercial, residential, and other uses within a designated floodplain and floodway of the Napa River. While most of the site will be removed from the designated floodplain under baseline conditions, interim, residual, and persistent flood hazards, including events larger than a 100-year flood, may affect the site and flood hazards will therefore result from the new exposure caused by the proposed

new development. As a result of new development on the site, additional property and persons will potentially be subject to flood hazards. This is a potentially significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Issuance of a Floodplain Permit by the City's floodplain administrator (or, alternatively, issuance of a LOMR/CLOMR by the Federal Insurance Administration of the FEMA), the provision of an effective evacuation route and emergency operations plan acceptable to the Public Works Director, demonstration that conveyance or detention of any storm drain excess (stormwater runoff not produced by overbank flow from rivers and creeks that exceeds the capacity of the stormwater management system) up to the 100-year event will not aggravate flood hazards both on-site and off-site in comparison to pre-project conditions, and installing or carrying out all measures included in project approval pursuant to NMC Chapter 17.38 (floodplain management overlay district) prior to final clearance of the building permit (or concurrently with the installation of site improvements in the case of a subdivision map), effective implementation of a Stormwater Management Plan (approved by the Public Works Director), and implementation of a flood evacuation plan (as presently required by the City for only certain residential developments under City Municipal Code Section 17.38.070, and as approved by the Public Works Director) would reduce this flooding impact to a level of less than significant.

Mitigation Measure HYDRO-4a: Floodplain Permit. Before development may be approved by the City of Napa within properties zoned :FP, which presently includes the entire area proposed for development within the Gasser Master Plan, a floodplain permit must be obtained from the City's floodplain administrator in accordance with Napa Municipal Code Chapter 17.38. Such a permit may not be issued until each of the pieces of information, analyses, and documentation required by this section before construction are submitted. Included in the submittal shall be an identification of all drainage necessary to reduce exposure to flood hazards, documentation showing that 1) finished floors will be elevated at least one foot above the base flood elevation, 2) fully enclosed floors below this elevation automatically will equalize hydrostatic flood forces, and 3) construction below one foot above the base flood (100-year flood) elevation will be flood-proofed. The applicant shall submit Certifications of Compliance with the standards of NMC Chapter 17.38 (:FP Floodplain Management Overlay District) by a registered architect or civil engineer as required by NMC Chapter 17.38 to the Public Works Department at the times set forth in Chapter 17.38. (PR 27 Mitigation Hydrology and Water Quality VIII.2.) In addition, if the proposed project falls within a FEMA-designated floodway (currently the case), a floodway development analysis must be prepared by a registered professional engineer as described in NMC Chapter 17.38. and accepted by the City of Napa floodplain administrator before the City may approve development. Such development may only be approved by the City if it shows zero increase in water surface elevations for the entire length of the floodway under base flood conditions and no expected hazard from changes in flood flow and velocity as a result of the proposed development. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and provide consistency with respect to FEMA and the City's zoning laws.

Alternative Mitigation Measure HYDRO-4a: LOMR/CLOMR. Before development may be approved by the City of Napa within properties zoned :FP, which presently includes the entire area proposed for development within the Gasser Master Plan, the applicant must successfully apply to the City to rezone the affected parcel or parcels to remove the :FP overlay. Before the City may approve this rezone, the applicant must demonstrate that a Letter of Map Revision (LOMR) removing the affected parcels from the floodplain or Conditional Letter of Map Revision (CLOMR) for a proposed project has been obtained from the Federal Insurance Administration of the FEMA. The LOMR may be in the form of an A-99 rezoning (an interim zoning designation to reflect the substantial progress in implementing the NRFPP) sought by the City that includes the proposed development area or an applicant-obtained LOMR for the proposed development area. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and will eliminate regulatory conflicts with respect to FEMA and the City's zoning laws.

Mitigation Measure HYDRO-4b: Evacuation Route and Emergency Operations Plan. All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be submerged by one or more feet of water during a 100-year flood event, regardless of whether or not a flood evacuation area designation exists for the proposed development area. The analysis supporting this conclusion shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's Public Works Director prior to final building clearance. All non-residential development at the project site shall be required to provide an emergency operations plan in accordance with FEMA Technical Bulletin 3-93 to the City of Napa's Public Works Director prior to final building clearance. For the purposes of this measure, Tulocay Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control District's 100-year flow estimate at the time the levee is certified. This measure will ensure that the site can be evacuated during most flood events.

Mitigation Measure HYDRO-4c: Stormwater Management Plan, Further Requirements. Implement Mitigation Measures HYDRO-2a, HYDRO-2e, HYDRO-2f, and HYDRO-3a, which require the preparation and implementation of a stormwater management plan. The stormwater management plan, drainage plan, and site development plan shall also reflect, and the applicant shall meet, the following parallel and/or supplemental requirements:

- The stormwater management plan must demonstrate that conveyance or detention of any storm drain excess (stormwater runoff not produced by overbank flow from rivers and creeks that exceeds the capacity of the stormwater management system) up to the 100-year event will not aggravate flood hazards both on-site and off-site in comparison to pre-project conditions. The plan must specifically address this concern with regard to storm drain excess at Gasser South.
- Unless otherwise provided, all measures included in project approval pursuant to NMC Chapter 17.38 (floodplain management overlay district) shall be installed or carried out prior to final clearance of the building permit or concurrently with the installation of site improvements in the case of a subdivision map. (PR 27 Mitigation Hydrology and Water Quality VIII.9.)

This measure will provide for the design and implementation of a stormwater management plan for the project that adequately addresses site drainage issues with regard to minimizing associated flood hazards.

Mitigation Measure HYDRO-4d: Grading requirements. All building pads shall be graded to a minimum of 1-foot above the 100-year elevation for any reasonably expected overland flow, including routed stormwater or Tulocay Creek overflows in the event that levee improvements at Tulocay Creek fail to meet FEMA criteria for levee adequacy assuming the Flood Control District's current 100-year flow estimate or are certified by the USACE only for a smaller 100-year flow estimate. The analysis supporting both these elevations shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's floodplain administrator before a grading permit may be issued. Even if the project site does not retain the :FP overlay zone designation, this measure will reduce flood risks to new development by raising structures above most flood hazards.

Mitigation Measure HYDRO-4e: Stormwater Operations, Maintenance, and Implementation. Implement Mitigation Measure HYDRO-3d (Implement Mitigation Measure HYDRO-2e: Stormwater Operations and Maintenance and Mitigation Measure HYDRO-2f: Stormwater plan implementation).

Mitigation Measure HYDRO-4f: Flood Evacuation Area: Flood Evacuation Plan. All developments at the project site within the flood evacuation area, regardless of use, shall be required to develop a flood evacuation plan, as presently required by the City for only certain residential developments under City Municipal Code Section 17.38.070. The flood evacuation plans adapted to the planned use shall be developed in accordance with Subsections A, B, and C of that Section. The flood evacuation plans must be approved by the City Public Works Director prior to final building permit clearance; all components of these plans must be developed and implemented prior to final clearance of building permits. This measure will reduce public safety flood risks for all proposed new development at the site, regardless of use, by providing evacuation planning.

Impact: **Impact HYDRO-5: Interim Flood Hazards.** Development of areas within the project site prior to completion of the NRFPP may create significant off-site and on-site flood hazards. At present, Gasser North continues to be subject to overland flows from the Napa River to the north and west; Gasser South is subject to Napa River backwater from the west and south. Both Gasser North and Gasser South are subject to potential over flows from Tulocay Creek. In addition, development in the Gasser South area prior to completion of the NRFPP will be subject to on-site flood hazards as a result of flows from the river crossing the railroad tracks at the Gasser North portion of the project site and thereby being routed across the Napa Valley Wine Train Bridge into Gasser South.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Completion of all flood hazard reduction measures (as identified in DEIR Table 4.4-3) prior to the issuance of grading permits, issuance of a floodplain permit (or, alternatively, a LOMR/CLOMR), and installation of removable floodwall at the Napa Valley Wine Train

Bridge across Tulocay Creek (as approved by the Public Works Director) would reduce this interim flood hazard impact to a level of less than significant.

Mitigation Measure HYDRO-5a: Phasing. Before the City can approve grading permits for any proposed development at the project site, flood hazard reduction measures must be implemented as indicated in DEIR Table 4.4-3, with all items in the column on the left preceding or occurring concurrently with the action in the column on the right.

As an alternative, if a Letter of Map Revision (LOMR) or Conditional Letter of Map Revision (CLOMR) is approved by FEMA for the Gasser South development per Hydro 4a, not all of Gasser south will be removed from the FEMA regulatory floodplain once the development is complete. The requirements in Hydro 4b-4f shall be met prior to the issuance of grading and building permits.

Mitigation Measure HYDRO-5b: Floodplain Management. Implement Mitigation Measure HYDRO-4a: Floodplain permit or Alternative Mitigation Measure HYDRO-4a: LOMR/CLOMR. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and will eliminate regulatory conflicts with respect to FEMA and the City's zoning laws.

Mitigation Measure HYDRO-5c: Railroad Bridge Closure Plan. The plan for a removable floodwall at Napa Valley Wine Train Bridge across Tulocay Creek must be approved by the City Public Works Director prior to approval of the grading permit for Gasser South development if the NRFPP east bank levees and floodwalls south of First Street to Tulocay Creek are not yet completed. The removable floodwall is required to eliminate routing of the Napa River overbank flood flows from Gasser North onto Gasser South in events up to and including a 100-year flood event. It shall be put in place within a reasonable period after a flood warning alert from the National Weather Service and prior to potentially significant flood events on the Napa River. Implementation of the floodwall plan is required before final clearance of the building permit can occur.

The removable floodwall plan shall show structural details and present the structural analysis on which the design is based. It shall also include identification of who will monitor National Weather Service flood watches and warnings, including contact information; what actions by whom the watches and warnings will trigger within what time periods; who will install the barriers, and any agreement related to provision of that service; how the site will be accessed; what equipment will be used; how long installation will take; how often the crew will train; emergency contact numbers; any required approvals from the California Public Utilities Commission; backup measures to minimize the potential for system failures; and any other information pertinent to the effective operation of the floodwall. This mitigation measure will provide reasonable assurance of the effectiveness of the railroad bridge floodwall to prevent passage of flows from Gasser North into Gasser South across the bridge.

Impact:

Impact HYDRO-6: Residual Flood Hazards created by Soscol Avenue Flows. Failure to maintain or improve conveyance of at least the 100-year residual overland flow along Soscol Avenue south of Oil Company Road that presently drains to the North Basin has the potential to aggravate flood hazards created by proposed new development at the project site. While partially addressed by elements specified under Mitigation Measure HYDRO-5a: Phasing requirements, this measure alone is not sufficient to

entirely protect against flood hazards with respect to ongoing Soscol Avenue residual flood flows. This is considered to be a potentially significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR and corresponding conditions of approval, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Completion of all flood hazard reduction measures (as identified in DEIR Table 4.4-3) prior to the issuance of grading permits, and completion of all necessary drainage improvements necessary to ensure that flood hazards to surrounding properties from at least the 100-year residual overland flow under baseline conditions extending along Soscol Avenue from the intersection of Oil Company Road south to the North Basin would not be aggravated as a result of blockage at the Tulocay Square site would reduce this residual flood hazard to a level of less than significant.

Mitigation Measure HYDRO-6a: Phasing. Implement Mitigation Measure HYDRO-5a: Phasing.

Mitigation Measure HYDRO-6b: Residual Overland Flow Improvements. Neither fill nor structures may be placed at the Tulocay Square (aka Tulocay Place) site until documented analysis has been provided identifying those measures necessary to ensure that flood hazards to surrounding properties from at least the 100-year residual overland flow under baseline conditions extending along Soscol Avenue from the intersection of Oil Company Road south to the North Basin would not be aggravated as a result of blockage at the Tulocay Square site. Specific drainage improvements to meet this performance criterion shall be identified as part of the drainage plan to be submitted for the City's review and approval, coordinated with the Flood District, prior to City issuance of a grading permit for placement of fill at Tulocay Square. This measure requires development of an integrated and effective plan to route residual flood flows under baseline conditions from Soscol Avenue to the North Basin without increasing flood hazards in up to a 100-year flood event in concert with the plan to place new fill in the flow path of the proposed Tulocay Square site, thereby alleviating most flood risks that might result from such development.

Impact: **Impact HYDRO-7: Tulocay Creek backwater Flood Hazard.** Construction of the Gasser Drive Bridge across Tulocay Creek may raise upstream water surface elevations in Tulocay Creek as a result of head losses due to the presence of piers in the active channel, impingement of the flow on the bridge roadway, and/or debris accumulation, and thereby cause higher elevations upstream and/or overtopping of creek levees, increasing flood hazards.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: By applying the information obtained through a hydraulic analysis of the proposed Gasser Drive Bridge (as approved by the Public Works Director) in the bridge and pier design, raising the Tulocay Creek levee as necessary to provide a factor of safety in the upstream levee height, proportional to the expected head loss at the bridge, and conducting ongoing maintenance in the Tulocay Creek channel at and downstream of the

Gasser Drive Bridge to achieve a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis beyond the routine monitoring and maintenance of this reach of the creek by the Flood Control District that would otherwise be required, this backwater flood hazard would be reduced to a level of less than significant.

Mitigation Measure HYDRO-7a: Gasser Drive Bridge Hydraulic Design Criteria. The applicant must obtain approval from the City Public Works Director of a hydraulic analysis for the Gasser Drive Bridge prior to City approval of permits for bridge construction. This analysis must demonstrate that the design (including the pier shape and number, bridge low chord, and bridge width as shown in the final design for the bridge) has the ability to pass 1) a 50-year flow in Tulocay Creek (recently estimated at 4,230 cfs) with at least 0.5 feet of freeboard when backwatered from a 50-year flood event in the Napa River with the NRFPP in place and 2) a 100-year flow in Tulocay Creek (recently estimated at 4,500 cfs and elsewhere at 4,875 cfs) without pressure flow when backwatered from a 50-year flood event in the Napa River with the NRFPP in place. Additionally, before the City may grant its approval, the applicant must obtain a letter from the entity responsible for the function of the Tulocay Creek element of the NRFPP stating that the design is consistent with the flood protection objectives of the NRFPP. The responsible entity is expected to either be the USACE (before the NRFPP is turned over to the local sponsor) or the Flood Control District (the local sponsor). This measure will provide a factor of safety to address uncertainty in bridge hydraulics and function, thereby reducing the risk of flood hazards associated with its construction.

Mitigation Measure HYDRO-7b: Gasser Drive Bridge Pier Design. The applicant must obtain approval from the City Public Works Director for design of the Gasser Drive Bridge prior to City approval of permits for bridge construction. This design must be consistent with the hydraulic analysis bridge description submitted for the bridge and must include piles that are webbed to minimize debris accumulation, or continuous walls in lieu of piles, or include no piers within the active channel. This measure will reduce the risk of debris accumulation at the bridge, thereby reducing the risk of flood hazards associated with its construction.

Mitigation Measure HYDRO-7c: Gasser Drive Bridge Upstream Levee Raise. Prior to City approval of permits for construction of the Gasser Bridge, the Tulocay Creek levee upstream of the bridge must be raised as needed. This should be done in order provide at least as much freeboard between the top of levee and the estimated water surface elevation at the upstream side of Gasser Bridge. The 100-year flow as adopted by the Flood Control District (presently estimated by the Flood Control District to be 4,500 cfs) in Tulocay Creek, when backwatered from a 50-year flood event in the Napa River with the NRFPP in place, has been predicted in head loss at the bridge in the approved hydraulic analysis, plus 0.1 foot. This measure will provide a factor of safety in the upstream levee height, proportional to the expected head loss at the bridge, to address uncertainty in bridge hydraulics and function, thereby reducing the risk of flood hazards associated with its construction.

Mitigation Measure HYDRO-7d: Tulocay Creek Monitoring and Maintenance. Prior to City approval for construction of a bridge over Tulocay Creek on Gasser Drive, the applicant must receive approval from the City Public Works Director for a monitoring and maintenance plan. This plan must identify what actions will be taken to maintain the Tulocay Creek channel at and downstream of the Gasser Drive Bridge at a performance

level at or below the 100-year water surface profile identified in the approved hydraulic analysis beyond the routine monitoring and maintenance of this reach of the creek by the Flood Control District that would otherwise be required. The supplemental funding required for the implementation of this plan by the Flood Control District shall be provided by the applicant to the Flood Control District based on District actual costs, with a District-generated estimate of cost paid by the applicant each year in advance for the following year's work. This requirement shall remain in effect unless and until at some point in the future the City waives it due to new analysis either demonstrating that the expected freeboard at the bridge is 1.0 foot or more in a 50-year flood event when backwatered from a 50-year flood event in the Napa River with the NRFPP in place or a finding that the routine monitoring and maintenance of this reach of the creek by the Flood Control District will be sufficient to maintain it at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis.

This requirement shall remain in effect unless and until at some point in the future the City waives it due to new analysis either demonstrating that the expected freeboard at the bridge is 1.0 foot or more in a 50-year flood event when backwatered from a 50-year flood event in the Napa River with the NRFPP in place, or that the monitoring and maintenance of this reach of the creek by the Flood Control District as required by the USACE as part of the NRFPP will be sufficient to maintain this reach of the channel at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis.

The channel management plan shall include a maintenance manual and program, including annual reporting to the City Public Works Director on maintenance activities undertaken. The funding plan for facility operation and maintenance shall also be included as part of the channel management plan. This plan shall include a signed statement from the developer accepting responsibility for maintenance and management of the reach addressed by the channel management plan until such time when the property is transferred; the funding and implementation responsibility will be transferred with the property. This measure will provide additional assurance of bridge performance, even in the face of downstream channel changes, thereby reducing the risk of flood hazards associated with its construction.

Impact: **Impact HYDRO-8: *Construction in a Waterway: Regulatory Conflicts.*** The proposed Gasser Drive Bridge may include modifications within the Tulocay Creek channel. If so, such construction will likely be subject to regulation under such laws as Rivers and Harbors Act, the Clean Water Act and the California Fish and Game Code and will require the acquisition of permits and execution of agreements for compliance.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Acquisition of all required permits and agreements associated with the Gasser Drive Bridge from the appropriate resource agencies prior to construction would reduce potential regulatory conflicts during construction in a waterway to a level of less than significant.

Mitigation Measure HYDRO-8: *Permits and Agreements.* The applicant shall acquire all required permits and agreements for construction of the proposed Gasser Drive Bridge.

Such permits may include a permit under Section 10 of the Rivers and Harbors Act from the USACE, Section 401 and 404 permits under the Clean Water Act from the Regional Water Quality Control Board and USACE, respectively, and a Streambed Alteration Agreement from the California Department of Fish and Game.

Impact: **Impact HYDRO-9: General Plan Conflicts.** DEIR Table 4.4-4 addresses the extent to which the project would conflict with a number of the relevant goals and policies in the City of Napa General Plan.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including conditions of approval and mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the successful implementation of the hydrology and water quality mitigation measures identified in the EIR, the potential General Plan consistency conflicts would be reduced to a level of less than significant.

Mitigation: Implementation of the above-noted mitigation measures would reduce potential water quality and hydrology impacts related to plan and policy inconsistency to a *less-than-significant* level. No additional mitigation measures are required.

D. AIR QUALITY

Significance Criteria

According to Appendix G of the CEQA Guidelines, a project would have a significant effect on the environment with respect to air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- Result in a cumulatively considerable net increase of any non-attainment pollutant.
- Expose sensitive receptors to substantial pollutant concentrations.
- Create objectionable odors affecting a substantial number of people.

Appendix B provides that, when available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to determine significance. The following are the significance criteria that the Bay Area Air Quality Management District (BAAQMD) has established to determine project impacts:

Construction - The BAAQMD's approach to the CEQA analysis of construction impacts is to emphasize the implementation of effective and comprehensive control measures rather than detailed quantification of emissions. PM₁₀ is the pollutant of greatest concern from construction activities. The BAAQMD CEQA Guidelines provide feasible control measures for construction emissions of PM₁₀. If the appropriate construction controls are implemented, air pollutant emissions for construction activities would be considered less than significant.

Operations – Plan build-out would cause a significant air quality impact if it were to result in:

- O₃ precursor emissions (ROG and NO_x) and PM₁₀ emissions from direct and indirect sources (non-typical construction) that exceeds the thresholds recommended by the BAAQMD. The BAAQMD recommends a threshold of 80 pounds per day or 15 tons per year for direct and indirect sources of ROG, NO_x and PM₁₀.
- Emissions of CO that cause a projected exceedence of the ambient carbon monoxide state standard of 9.0 ppm for 8-hour averaging period. Additionally, for CO, an increase of 550 pounds per day would be considered significant if it leads to a possible local violation of the carbon monoxide standards (i.e., if it creates a “hot spot”).
- Generally, if a project results in an increase in ROG, NO_x, or PM₁₀ emissions of more than 80 pounds per day or 15 tons per year, then it would also be considered to contribute substantially to the significant cumulative effect.

Consistency with Clean Air Plan Efforts – The *BAAQMD CEQA Guidelines: Assessing the Air Quality Impacts of Projects and Plans (1999)* recommends using an analysis that determines the consistency between the plan’s projected population growth and vehicle miles traveled (vmt) to the projections in the latest Clean Air Plan (CAP). Consistency is also demonstrated by assessing whether the plan implements all of the applicable CAP transportation control measures, and assessing whether the plan provides buffer zones around potential sources of odors, toxics, and accidental releases.

Impact: **Impact AQ-1:** Construction activity during build-out of the project would generate air pollutant emissions that could expose sensitive receptors to substantial pollutant concentrations.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including conditions of approval and mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Effective implementation of the construction dust control measures identified by BAAQMD and in the City’s PR 27 would reduce this construction-related air quality impact to a level of less than significant.

Mitigation Measure AQ-1: The following is a list of feasible control measures that the BAAQMD recommends, some of which the City requires through Policy Resolution 27, to limit construction emissions of PM₁₀. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities would occur.

- Sprinkle water to all active construction areas at least twice daily and more often when conditions warrant. This measure is required by City Policy Resolution 27, which also stipulates that the water shall not be from the City’s potable water supply. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency shall be necessary whenever wind speeds exceed 15 miles per hour such that no visible dust is seen leaving the project site.
- Construction equipment must have state-of-the-art muffler systems required by current law.
- Muffler systems shall be properly maintained. (PR 27 Mitigation Air Quality III.3.)

- Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep (with water sweepers) all paved access roads, parking areas and staging areas at construction sites daily.
- Sweep streets daily if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (defined as previously graded areas inactive for 10 days or more).
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
- Suspend grading activities when winds exceed 25 miles per hour (mph) and visible dust clouds cannot be prevented from extending beyond active construction areas, as also required by City Policy Resolution 27. (PR 27 Mitigation Air Quality III.2.)
- Limit the area subject to excavation, grading and other construction activity at any one time.
- Shut down all grading and construction equipment when not in use. This is an additional measure required by City Policy Resolution 27 (PR 27 Mitigation Air Quality III.1.).

Impact: **Impact AQ-2:** The project would generate new emissions that would affect long-term air quality. A majority of the emissions generated by full build-out of the plan would be produced by traffic associated with retail aspects of the development.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan including mitigation measures specified in the Final EIR, that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. The effect, even after mitigation, will remain significant and unavoidable.

Explanation: Although the implementation of the mitigation measures to reduce vehicle trips (and woodsmoke) as identified in the Final EIR would reduce pollutant emissions to some

extent, anticipated pollutant emissions at Gasser Master Plan build-out would be expected to exceed the significance criteria thresholds established by BAAQMD. No feasible mitigation measures capable of reducing vehicle-related pollutant emissions associated with Gasser Master Plan development to levels below the established BAAQMD thresholds of significance have been identified.

Mitigation Measure AQ-2: The project applicant shall reduce vehicle trips, and thus air pollutant emissions, through the measures listed below.

- Provide bus pullouts and transit stops at several locations with pedestrian access to the project. Project emissions could be reduced by about 2 percent with bus service.
- Bicycle amenities should be provided for the project. This would include secure bicycle parking for office and retail employees, bicycle racks for retail customers, and bike lane connections. This vehicle trip reduction measure could reduce emissions by 2 percent.
- Pedestrian facilities should link future transit stops and access roadways to the major site uses (e.g., residential and theatre uses). This may reduce emissions by 1 percent.
- Project site employers should be required to post transit rates and scheduling information on bulletin boards, which may reduce emissions by 1 percent.
- Consider that a portion of the parking facilities be set aside for commuter parking (i.e., Park and Ride facility) to reduce weekday commuter traffic when retail uses would not be in high demand. The effectiveness would depend on the use of the parking facilities and is too difficult to calculate at this point. Therefore, it would be considered to reduce emissions by less than 1 percent.
- Require new residential units to include only clean-burning U.S. EPA-certified wood burning devices, pellet-fueled stoves, or natural gas fireplaces. This would reduce a substantial portion of non-transportation PM₁₀ emissions during wintertime, when PM₁₀ concentrations can be highest and would include policies consistent with BAAQMD recommendations for control of residential wood smoke. This would reduce wintertime emissions of PM₁₀ from woodsmoke by 90 percent or greater.

Impact: **Impact AQ-3:** The project would result in development anticipated within clean air planning projections, but does not reasonably implement Transportation Control Measures.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Effective implementation of the transportation control measure identified in Mitigation Measure AQ-2 (e.g., providing bus pullouts and transit stops at the site, providing bicycle amenities, linking pedestrian facilities to transit facilities, etc.) would reduce this impact to a level of less than significant.

Mitigation: Implementation of Mitigation Measure AQ-2 would reasonably implement transportation control measures, reducing this impact to a *less-than-significant* level.

E. NOISE

Significance Criteria

Except where noted, the standards of significance below are based on the Environmental Checklist standards in Appendix G of the CEQA Guidelines.

The project would have a significant impact with regard to noise if it would:

- Expose persons to or generate noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies.
- Expose persons to or generate excessive groundborne vibration or groundborne noise levels. Vibration levels in excess of 80 VdB would be considered excessive (Note: This standard is based on both Appendix G of CEQA Guidelines and FTA Guidelines).
- Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. A substantial permanent noise increase would be defined as a CNEL increase of 3 dB or greater where exterior noise levels would exceed the normally acceptable noise level standard (60 CNEL). Where noise levels would remain below the normally acceptable noise level standard with the project, a CNEL increase of 5 dB or greater would be considered substantial (Note: This standard is derived from both Appendix G of CEQA Guidelines and based on professional experience of the noise consultant for the EIR).
- Result in a substantial temporary increase or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working within the project area to excessive noise levels.
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.
- Conflict with any applicable land use plans, policies, regulations, or ordinances of any agency with jurisdiction over the project, adopted for the purpose of avoiding and mitigating noise impacts.

Impact: **Impact NOISE-1:** The construction of the proposed project would generate noise levels that would substantially increase the noise environment in the vicinity of the site on a temporary basis.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Effective implementation of the construction noise control measures required under PR 27 would reduce this construction-related noise impact to a level of less than significant.

Mitigation Measure NOISE-1: During construction, the following measures, specified in the City of Napa's Policy Resolution 27, shall be implemented:

- Construction activities shall be limited to specific times pursuant to NMC 8.08.025, which limits construction activities to between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on weekends or legal holidays, unless a permit is first secured from the City Manager (or his/her designee) for additional hours. The ordinance further states that the following will not be permitted: start up of machines or equipment prior to 8:00 a.m. Monday through Friday; delivery of materials or equipment prior to 7:30 a.m. nor past 5:00 p.m., Monday through Friday; cleaning of machines or equipment past 6:00 p.m., Monday through Friday; and servicing of equipment past 6:45 p.m., Monday through Friday. (PR 27 Mitigation Noise XI.1.) Construction on weekends, pursuant to NMC 8.08.025, is limited to the hours of 8:00 am to 4:00 p.m.
- Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained. (PR 27 Mitigation Noise XI.2.)
- Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding. (PR 27 Mitigation Noise XI.3.)
- Grading and construction equipment shall be shut down when not in use. (PR 27 Mitigation Noise XI.4.)

Impact: **Impact NOISE-2:** The operation of the proposed project would generate noise levels that would substantially increase the noise environment in the vicinity of the site on permanent basis.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Incorporation of appropriate features to reduce noise exposure (e.g., dual-pane, noise-rated windows, modified placement of mechanical equipment, etc.) based on an evaluation of each facility's compliance with the City's Noise Ordinance and General Plan noise standards would reduce this noise impact to a level of less than significant.

Mitigation Measure NOISE-2: As individual facilities are developed, the City shall evaluate each facility for compliance with the City's Noise Ordinance and General Plan noise standards. Where individual facilities do not clearly comply with the noise standards included in these guidelines, mitigation measures shall be required to reduce projected interior and exterior noise levels to acceptable levels. Mitigation Measures may include, but are not limited to, the following:

- Dual-pane, noise-rated windows; mechanical air systems; exterior wall insulation; and other noise-reducing building materials shall be used.

- Mechanical equipment (e.g., air conditioning and ventilation systems) and area-source operations (e.g., loading docks, parking lots) shall be located the farthest distance from and/or shielded from nearby existing and proposed noise-sensitive land uses.

In addition, the following measures will apply to noise-generating activities associated with commercial and multi-family housing grounds:

- Onsite landscape maintenance equipment shall be equipped with properly operating exhaust mufflers and engine shrouds, in accordance with the manufacturer's specifications.
- For maintenance areas located within 500 feet of noise-sensitive land uses, the operation of onsite landscape maintenance equipment shall be limited to the least noise-sensitive periods of the day, between 7 a.m. and 7 p.m.

Impact: **Impact NOISE-3:** Noise levels generated by intermittent noise sources such as the pump station, NVWT, animal shelter, fire station, and commercial uses may be disruptive or annoying to residents of proposed housing units.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Incorporation of appropriate design features to limit residential interior noise exposure based on an acoustical study to quantify noise levels generated by the flood control pumps after the NRFPP/pump station is operational and prior to residential construction in the vicinity, and disclosure of potential sources of offensive, intermittent noises (including the pump station, NVWT, animal shelter, fire station, and commercial uses) to prospective residents within the Gasser Master Plan area would reduce this noise compatibility impact to a level of less than significant.

Mitigation Measure NOISE-3a: The project applicant or developer shall submit to the City an acoustical study which quantifies noise levels generated by the flood control pumps after the NRFPP/pump station is operational and prior to the construction of residential units in the vicinity. The study will identify the necessary noise control measures to be included in the design of the residential development to maintain interior noise levels within units to 35 dBA Leq with the windows closed.

Mitigation Measure NOISE 3b: The project applicant, developer, owner, or operator (as applicable) shall disclose to prospective residents the potential sources of offensive, intermittent noises including the pump station, NVWT, animal shelter, fire station, and commercial uses.

Impact: **Impact NOISE-4:** Interior noise levels at the transitional housing units adjacent to Hartle Court would exceed 45 CNEL assuming standard residential construction methods.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Incorporation of appropriate design features to limit interior noise exposure in the proposed transitional housing units based on an acoustical study to quantify anticipated noise levels in the vicinity would reduce this noise compatibility impact to a level of less than significant.

Mitigation Measure NOISE-4: Developer shall have a project-specific acoustical analysis for the transitional housing units conducted to meet the following noise reduction requirements. Interior noise levels shall be reduced to 45 CNEL or lower to meet State and local standards. Building sound insulation requirements will need to include the provision of forced-air mechanical ventilation for new transitional housing units adjacent to Hartle Court, so that windows could be kept closed at the occupants' discretion to control noise. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit. Feasible construction techniques such as these will adequately reduce interior noise levels to 45 dBA CNEL or lower.

Impact: **Impact NOISE-5:** DEIR Table 4.6-4 discusses the extent to which the Project would conflict with a number of the relevant goals and policies in the City of Napa General Plan.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the successful implementation of the noise mitigation measures identified in the EIR, the potential General Plan consistency conflicts would be reduced to a level of less than significant.

Mitigation: Implementation of Mitigation Measures NOISE-1, NOISE-2, NOISE-3, and NOISE-4 would reduce potential noise impacts related to plan and policy inconsistency to a less-than-significant level. No additional mitigation measures are required.

F. BIOLOGICAL RESOURCES

Significance Criteria

Based on Section 15065 and the Environmental Checklist in Appendix G of the CEQA Guidelines, a proposed project could be considered to have significant impacts to biological resources if it would have:

- A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, regulations or by the CDFG or USFWS.
- A substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFG or USFWS.
- A substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native or resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any applicable land use plans, policies, regulations, or ordinances of an agency with jurisdiction over the project, adopted for the purpose of protecting biological resources or avoiding and mitigating impacts to biological resources.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.
- Substantially degrade the quality of the environment.
- Substantially reduce the habitat of a fish or wildlife species.
- Cause a fish or wildlife population to drop below self-sustaining levels.
- Threaten to eliminate a plant or animal community.
- Substantially reduce the number or restrict the range of an endangered, rare or threatened species.

Impact: **Impact BIO-1:** Development allowed under the proposed project could affect a number of special-status species, including western pond turtle, several bird species, several fish species and possibly California red-legged frog, unless protective measures are taken to avoid and mitigate construction-related impacts and avoid and mitigate substantial habitat loss.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Issuance of all necessary permits associated with the protection of special-status species from the appropriate resource agencies, completion of all necessary pre-construction surveys for special status species that may be affected by construction in the Gasser Master Plan area, establishment and maintenance of setbacks/fencing as necessary to protect special status species identified during pre-construction surveys, restricting construction activities to those periods that are not likely to disturb special-status species that may be identified during pre-construction surveys, providing appropriate training on avoiding special status species for those involved in construction activities, relocating special-status species (where necessary), and complying with additional mitigation requirements that may be established by the resource agencies to protect special-status species that may be found at the site as conditions of permit approval would reduce the impacts to special-status species to a level of less than significant.

Mitigation Measure BIO-1a: In order to mitigate for on-site impacts to special-status species, the project developer shall obtain all necessary permits from the CDFG, USACE, USFWS, and the RWQCB/State Water Resources Control Board (SWRCB) as required by federal and State law to avoid, minimize or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law as follows:

- Before project implementation, a delineation of waters of the United States, including wetlands that would be affected by development, shall be made by qualified biologists through the formal Clean Water Act section 404 process. This shall encompass the entire site with the exception of the detention basin of Gasser North under fee ownership of the Napa County Flood Control and Water Conservation District addressed as part of the Gasser Soil Reuse and Disposal Plan in 2003.
- If based on the verified delineation, it is determined that fill of waters of the United States would result from project implementation, authorization for such fill shall be secured from the USACE through the section 404 permitting process.
- A CDFG Stream Bed Alteration Agreement and a RWQCB/ SWRCB Clean Water Act section 401 water quality certification may also be required by the project activities. The project developer shall obtain all legally-required permits from the CDFG and RWQCB/SWRCB.
- Consultation or incidental take permitting may be required under the Endangered Species Act. The project developer shall obtain all legally-required permits from the USFWS for the "take" of protected species under the Endangered Species Act.
- Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the Community Development Department of the City of Napa prior to issuance of any grading or building permits for the project.

Mitigation Measure BIO-1b: *Raptors:*

- If grading and vegetation removal is to be initiated during the months of April through August (the raptor nesting season) preconstruction surveys shall be conducted for loggerhead shrike and tree-nesting raptors at locations with a potential for nesting

activity. These locations include the undeveloped lands within 300 feet of the valley oaks, Tulocay Creek channel and seasonal wetlands.

- The surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of grading or vegetation removal, whichever is first.
- If any raptor nests are found within the construction area after April and before August, grading and construction in the area shall either stop or continue only after the nests are protected by an adequate setback of no less than 100 feet approved by a qualified biologist.
- The setback shall be maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave the nest. This setback applies whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests that are known to be occupied.
- Setbacks shall be marked by brightly colored temporary fencing.
- If it is not feasible to maintain setbacks for the entire nesting season as specified in the forth bullet above, setbacks may be eliminated with the approval of the City if a qualified biologist verifies that nesting birds have either (a) not begun egg-laying and incubation, or (b) that the juveniles from those nests are foraging independently and capable of independent survival at an earlier date.
- Pre-construction surveys are not required if construction activities associated with these specific improvements are restricted to the non-nesting season (September through March).

Mitigation Measure BIO-1c: Pond turtle:

- Developer shall be responsible for obtaining a pre-construction nesting survey for the western pond turtle (a) at locations with aquatic habitat throughout the year or (b) at locations with potential for nesting activity if grading and vegetation removal is to be initiated during the months of April through November.
- Locations of potential turtle nesting requiring pre-construction surveys include undeveloped lands within 100 feet of the Tulocay Creek channel and the stormwater ponds on the Gasser South site.
- The surveys shall be conducted by a qualified biologist no more than 15 days prior to initiation of grading or vegetation removal, whichever is first.
- If active turtle nests are identified, a buffer area of 300 feet shall be established between the nest and the drainage segment nearest the nest. Buffer areas shall be indicated by temporary, brightly colored fencing if construction has begun or will begin before the nesting period ends.
- If construction begins outside of the active nesting season (from December through March), then a pre-construction survey shall not be required for turtle nesting, but an

inspection of any channel segment to be affected by proposed construction shall still be conducted within 15 days prior to any in-channel disturbance, and any turtles relocated to secure habitat outside the construction zone.

Mitigation Measure BIO-1d: Fish:

Prior to construction of the Gasser Drive bridge over Tulocay Creek, appropriate construction restrictions shall be implemented to avoid take of steelhead and other listed special-status fish species.

- Any in-channel construction activity shall be restricted to the period when stray or dispersing fish would not be expected within this channel segment, from June 15 through October 15.
- Adequate measures, defined during the consultation with the USACE, CDFG, USFWS, and RWQCB/SWRCB, shall be taken during in-channel construction to minimize disturbance and sedimentation, temporarily contain flow of surface water across the construction zone, and ensure that no listed fish species are trapped within the construction zone prior to commencement of dewatering or other in-channel disturbance.

Mitigation Measure BIO-1e: Frogs:

Developer shall implement appropriate avoidance measures and shall obtain pre-construction surveys for California red-legged frog prior to the construction of the Gasser Drive bridge over Tulocay Creek, or modifications within 100 feet of ponded water on the Gasser North and Gasser South sites. The USFWS has outlined mitigation measures for activities authorized by the USACE under their Nationwide Permit program in their *Programmatic Formal Endangered Species Act Consultation on Issuance of Permits under Section 404 of the Clean Water Act or Authorizations under the Nationwide Permit Program for projects that May Affect the California Red-legged Frog* (USFWS letter report, dated January 26, 1999). The following procedures are adapted from the Programmatic opinion by the USFWS and shall be implemented to avoid potential impacts:

- At least 15 days prior to the onset of construction activities, the project developer shall submit the name(s) and credentials of biologists who would conduct activities associated with California red-legged frog. No project activities shall begin until the project proponent has received written approval from the UFWS that the biologist(s) is qualified to conduct the work.
- The approved biologist(s) shall survey the construction zone two weeks before any construction activities are initiated. If California red-legged frogs, tadpoles, or eggs are found, the approved biologist shall contact the USFWS, as appropriate, to determine if moving any of these lifestates is appropriate. Only approved biologists shall participate in activities associated with the capture, handling, and monitoring of California red-legged frogs.
- Before any construction activities begin, the approved biologist(s) shall conduct a training session for all construction personnel. At a minimum, the training shall include: (a) a description of the California red-legged frog and habitat for this species;

(b) the general measures that are being implemented to conserve this species as they relate to the project, and (c) the boundaries within which the project may be accomplished.

- A USFWS-approved biologist shall be present at the work site until such time as all removal of California red-legged frogs, instruction of workers, and habitat disturbance have been completed. After that time, the project developer shall designate a person to monitor on-site compliance with all minimization measures. The monitor and the USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the USACE or USFWS.
- During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of properly.
- All fueling and maintenance of vehicles and other equipment, and staging areas, shall be located at least 20 feet from the drainage or water body. Prior to the onset of work, the USACE shall ensure that the project proponent has prepared a plan to allow a prompt and effective response to any accidental spills into the drainage. All workers shall be informed of the importance of preventing spills and the appropriate measures to take should a spill occur.
- The number of access routes, number and size of staging areas, and total area of the activity shall be limited to the minimum necessary to complete the project. Routes and boundaries shall be clearly demarcated, and these areas shall be located outside the riparian habitat.
- Instream work (dewatering and pile driving) will only occur between June 15 and October 15 during low flow periods. Should the project developer demonstrate a need to conduct activities outside this time period, the USACE may authorize such activities after obtaining the USFWS approval.
- The channel bottom shall remain earthen and will not be raised or lowered. To control erosion during and after project construction, the project proponent shall implement Best Management Practices, as identified by the RWQCB and described in a Stormwater Pollution Prevention Plan.
- The USFWS-approved biologist shall permanently remove, from within the project site, any individuals of exotic wildlife species, such as bullfrogs and crayfish to the extent possible.
- If the work site is temporarily de-watered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent California red-legged frogs, from entering the pump.

Impact:

Impact BIO-2: Development associated with implementation of the project is not expected to affect any well-developed sensitive natural communities and measures designed to protect wetlands would serve to generally avoid these areas. However, the project could adversely affect the few oaks on the site.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Preservation of valley oak trees in a "no disturbance zone" in the western portion of Gasser South would reduce this impact to natural communities to a level of less than significant.

Mitigation Measure BIO-2: Developer shall ensure that the location of individual valley oaks in the western portion of Gasser South are accurately mapped through an engineered survey, and these trees shall be preserved. Grading, paths and hardscape improvements shall be restricted to areas outside the dripline of these trees to avoid disturbance to the sensitive root zone, possible damage to the trunk and lower limbs, reduce the potential hazard by future limb drop, and allow for establishment of new oaks and future regeneration. These valley oaks shall be identified as a "no-disturbance zone" on all grading and improvement plans, construction crews informed that the trees and zone are to be avoided, and construction restriction fencing installed prior to initiation of any grading and maintained in place throughout construction.

Impact: **Impact BIO-3:** Development associated with implementation of the proposed project could affect areas of jurisdictional wetlands and other waters.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: If it is determined that development in the Gasser Master Plan area could affect jurisdictional wetlands or waters, effective implementation of a detailed mitigation plan (to be developed in cooperation with, and approved by, the appropriate resource agencies) and compliance with the requirements of Napa Municipal Code sections 17.52.530, 17.52.110 and 17.52.530 would reduce this wetlands/ waters impact to a level of less than significant.

Mitigation Measure BIO-3:

- Disturbance to jurisdictional wetlands and waters shall be avoided and minimized to the extent feasible with the exception of the proposed restoration and enhancement efforts, and appropriate authorization obtained from jurisdictional agencies where avoidance is determined to be infeasible. Developer shall coordinate proposed modifications to jurisdictional wetlands and waters with representatives of the USACE, RWQCB and CDFG.
- The acreage of waters of the United States and riparian habitat that would be removed shall be replaced or restored/enhanced on a "no-net loss basis" in accordance with USACE and CDFG regulations.
- A detailed mitigation plan shall be prepared by a qualified wetland consultant for any wetlands or waters affected by proposed development, with replacement provided at a minimum 1:1 ratio. The plan shall clearly identify the total wetlands and other jurisdictional areas affected by proposed improvements, as well as wetlands to be created, restored, or enhanced as part of the wetland mitigation. Any replacement

wetlands shall be consolidated to the degree possible to improve existing habitat values. The plan shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures. Monitoring shall be conducted by the consulting wetland specialist for a minimum of five years and continue until the success criteria are met.

- As required by Napa Municipal Code section 17.52.530, recommendations from the USACE and CDFG, including any requirement for wetland replacement or wetland restoration and management plans that were developed during consultation with these agencies, shall be incorporated into the mitigation plan. Habitat restoration, enhancement and/or replacement shall be at a location agreeable to the USACE and CDFG, as determined during the permitting processes for CWA section 404 and California Fish and Game Streambed Alteration Agreement.
- The project shall comply with Napa Municipal Code sections 17.52.110 and 17.52.530.

Impact: **Impact BIO-4:** Development associated with implementation of the proposed project would impact sensitive wildlife habitat features and obstruct movement corridors.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR. The City Council determined that the upland open space link was not feasible in that it would cause a significant reduction in housing and may interfere with the provision of planned multi use trails incorporated in the Plan, (nor of substantial benefit in that such a corridor link is cut off from the River open space by two fences and a railroad line and further will contain a major storm drainage pump station planned as part of the Flood Protection Project). All other BIO-4 Mitigation Measures are retained.

Explanation: Establishing and maintaining an upland link of open space along the north side of Tulocay Creek between the northern seasonal wetland and the restored open space along the Napa River, designing the proposed bridge crossing of the Tulocay Creek channel to minimize disruption of possible fish and wildlife movement in the channel, locating all parking areas and structures a minimum of 50 feet from wetlands to be preserved or enhanced, and establishing and maintaining appropriate wildlife fencing around protected wetlands would reduce this wildlife movement impact to a level of less than significant. Without incorporation of BIO-4a, the mitigation is reduced, thus the impact could be potentially significant.

Mitigation Measure BIO-4a: Developer shall revise the proposed project to maintain an upland wildlife link of open space along the north side of the Tulocay Creek between the northern seasonal wetland and the restored open space along the Napa River, preserving opportunities for terrestrial wildlife movement between these important habitat areas. This shall include the following provisions:

- Proposed Residential Use shall be restricted a minimum of 200 feet from the north side of the Tulocay Creek corridor at the southwestern edge of Gasser North to allow for continued movement of terrestrial wildlife species between the on-site seasonal wetlands and the restored open space along the Napa River.

- The additional setback area shall be enhanced as riparian and upland native grasslands, and re-vegetated as part of restoration and enhancement of the adjacent seasonal wetlands within a minimum 100-foot setback from the north bank of Tulocay Creek.
- Any improved pedestrian/bike pathways and intensive recreational uses such as a ball field, playground and tot-lots, and intensively managed turf areas shall be restricted to the northern edge of the proposed open space area to provide a transition to the sensitive habitat along the Tulocay Creek channel. These uses shall not extend into the minimum 100-foot setback from the north bank intended to serve as a native habitat movement corridor for terrestrial wildlife.
- The proposed interpretive program designed to protect sensitive wetland habitat around the perimeter of seasonal wetlands on the site shall be extended to include protective signage along the north edge of native habitat setback along the Tulocay Creek corridor.

Mitigation Measure BIO-4b: Developer shall design the proposed bridge crossing of the Tulocay Creek channel to minimize disruption of possible fish and wildlife movement in the channel. Any new crossing shall be oriented as close to perpendicular to the channel as possible to minimize disturbance to the drainages and the length of any structure over the channel. A natural bed shall be maintained below any new crossing structure and no in-channel barriers such as a weir or drop structure shall be created which could impede movement of fish or wildlife.

Mitigation Measure BIO-4c: Except as otherwise noted above in Mitigation Measure BIO-4a, new structures and parking improvements shall be located a minimum of 50 feet from wetlands to be preserved or enhanced.

Mitigation Measure BIO-4d: Wildlife fencing of protected wetlands, as required by the RWQCB, shall be limited to 4 feet in height, unless, as a part of subsequent review, the City of Napa makes findings that a higher fence is needed in a particular portion of the area, due to safety considerations. [Note: In accordance with the Flood Project's Final Soils Disposal Plan by the Regional Water Quality Control Board, fencing around the Flood-District-owned North Wetland is to be installed by Gasser prior to commencement of construction on the Gasser property for any purpose beyond soil disposal by the District. The fencing, which will be maintained by Gasser, will be installed on the wetland/detention basin side along the finished grade of areas E-7 and E-8, designed to exclude pets and trespassers into the wetlands and catch litter, prior to entering the wetlands.]

Impact:

Impact BIO-5: DEIR Table 4.7-5 discusses the extent to which the project and its effect on biological and wetland resources would conflict with a number of the relevant goals and policies in the City of Napa General Plan. These General Plan goals and policies tend to be fairly broad, but basically call for protection of sensitive biological and wetland resources. As explained below, the project mitigation required by this EIR and as part of the consultation process with the USACE, CDFG and RWQC would ensure that the project's impacts on biological and wetland resources are reduced to a less-than-significant level and that the project would be consistent with applicable General Plan policies.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the successful implementation of the biological resources mitigation measures identified in the EIR, the potential General Plan consistency conflicts would be reduced to a level of less than significant.

Mitigation: Implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-1d, BIO-1e, BIO-2, BIO-3, BIO-4a, and BIO-4b would reduce potential biological impacts to a *less-than-significant* level. No additional mitigation measures are required to ensure compliance with applicable goals and policies in the City of Napa General Plan.

G. GEOLOGY, SOILS AND SEISMICITY

Significance Criteria

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact with regard to geology and seismicity if it would:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.
 - Strong seismic ground shaking.
 - Seismic-related ground failure, including liquefaction.
 - Landslides.
- Result in substantial soil erosion or the loss of topsoil.
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, settlement, lateral spreading, subsidence, liquefaction or collapse.
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to property.
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- Conflict with adopted plans, ordinances, policies or goals of the City.

Impact: **Impact GEO-1:** Large earthquakes could generate strong to violent ground shaking at the site and could cause damage to buildings and infrastructure and threaten public safety.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Compliance with UBC seismic safety design regulations and City of Napa Public Works Department Standard Specifications, and incorporation of all design and construction recommendations from a City-approved Soils Investigation/ Geotechnical Report would reduce this seismic shaking impact to a level of less than significant.

Mitigation Measure GEO-1a: As required by the City of Napa's Policy Resolution 27, all construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.) (PR 27 Mitigation Geology and Soils VI.2.)

The proposed project would be required to comply with the provisions of the national and California UBCs. Seismic design provisions of the UBC generally prescribe minimum lateral forces, applied statistically to the structure and combined with the gravity forces of dead and live loads. The UBC-prescribed lateral forces generally are substantially smaller than the expected peak forces that would be associated with a major earthquake. Therefore, when built according to UBC standards, structures are anticipated to (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage but with some nonstructural damage; and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.

Conformance to the current building code standards does not guarantee that significant structural damage will not occur in the event of a maximum magnitude earthquake; but it is reasonable to expect that a well-designed and well-constructed structure would not collapse or cause loss of life in a major earthquake.

Mitigation Measure GEO-1b: As required by the City of Napa's Policy Resolution 27, all project-related grading, trenching, backfilling and compaction operations shall be conducted in accordance with the City of Napa Public Works Department Standard Specifications. All grading shall conform to regulations for seismic safety contained in the UBC (PR 27 Mitigation Geology and Soils VI.1.)

Mitigation Measure GEO-1c: As required by the City of Napa's Policy Resolution 27, for all subdivision and parcel maps, the applicant has prepared a Soils Investigation/Geotechnical Report in accordance with Section 16.36.200 of the NMC which is subject to the City's review and approval. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to parcel/final map approval. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the work performed is adequate and complies with its recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of individual building plans in accordance with Title 15 of the NMC. (PR 27 Mitigation Geology and Soils VI.5.)

Impact: **Impact GEO-2:** The proposed project facilities could be damaged by liquefaction.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Incorporation of all recommendations for both special foundations and ground modification and other geotechnical engineering measures specified in the applicant's geotechnical reports during design and construction would reduce this liquefaction impact to a level of less than significant.

Mitigation Measure GEO-2: The recommendations for both special foundations and ground modification and other geotechnical engineering measures specified in the applicant's geotechnical reports shall be implemented during design and construction. These measures include engineering and compaction of new fills, removal of compressible soils, and use of relatively rigid, deepened spread-footing foundations. These measures would be implemented in the development area and would not extend into the channel or banks of Tulocay Creek. Documentation of the methods used shall be provided in the required final geotechnical report(s).

Impact: **Impact GEO-3:** Lateral spreading during future earthquakes could cause severe damage to structures and threaten public safety.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Removal of compressible soils, engineering and compaction of new fills, and the use of spread-footing foundations would reduce this lateral spreading impact to a level of less than significant.

Mitigation Measure GEO-3: Lateral spreading will be mitigated by correcting the liquefaction hazard to which it is related. These measures shall include:

- Engineering and compaction of new fills,
- Removal of compressible soils, and
- Use of relatively rigid, deepened, spread-footing foundations.

Impact: **Impact GEO-4:** Expansive soils could cause damage to foundations and pavements.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Incorporation of specific recommendations for mitigation of expansive soils under pavements and structures, to be provided by the project geotechnical engineer and

approved by the City as part of building and/or paving plan submittals, would reduce this expansive soils impact to a level of less than significant.

Mitigation Measure GEO-4: As a part of final design, specific recommendations for mitigation of expansive soils under pavements and structures shall be provided by the project geotechnical engineer. These recommendations should be based on testing of the in-situ fill materials. The recommendations shall be submitted to the City as a part of building and/or paving plan submittals.

Impact: **Impact GEO-5:** The existing fills could undergo settlement that could cause damage to foundations and pavements.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Excavation and/or additional compaction of poorly compacted fills, as per the recommendations of the applicant's geotechnical reports, would reduce this settlement impact to a level of less than significant.

Mitigation Measure GEO-5: Poorly compacted fills will be mitigated by excavation and/or additional compaction. The geotechnical recommendations for mitigation of existing and proposed fills, and for settlement of native soils, that are contained in the applicant's geotechnical reports shall be implemented. These measures include removal and re-compaction of pre-existing loose fills, and proper engineering and compaction of all new fills.

Impact: **Impact GEO-6:** The project grading would alter topography and include fills that could be subject to erosion.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Compliance with the requirements of an erosion and sediment control plan (as approved by the Public Works Director), the use of hydroseeding to stabilize disturbed slopes, and installation of storm drainage improvements in compliance with the UBC and the City's storm drainage code would reduce this erosion impact to a level of less than significant.

Mitigation Measure GEO-6a: As required by the City of Napa's Policy Resolution 27, the developer shall provide an erosion and sediment control plan and a schedule for implementation of approved measures to the Public Works Director for approval with the first improvement plans submitted for review. No grading and excavation shall be performed except in accordance with the approved plan and schedule. (PR 27 Mitigation Geology and Soils VI.3.)

Mitigation Measure GEO-6b: As required by the City of Napa's Policy Resolution 27, hydroseeding of all disturbed slopes shall be completed by October 1; Developer shall provide sufficient maintenance and irrigation of the slopes such that growth is established by November 1. (PR 27 Mitigation Geology and Soils VI.4.)

Mitigation Measure GEO-6c: All storm drainage improvements shall conform to the Uniform Building Code and the City storm drainage ordinance.

Impact: **Impact GEO-7:** DEIR Table 4.8-3 discusses the extent to which the project, and its effect on geology and soils, would conflict with a number of the relevant goals and policies in the City of Napa General Plan. These goals and policies tend to be fairly general, but basically call for (1) protection of structures and lives from geologic hazards and (2) control of erosion.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the successful implementation of the geology/soils/seismicity mitigation measures identified in the EIR, potential General Plan consistency conflicts would be reduced to a level of less than significant.

Mitigation: As explained above and in DEIR Table 4.8-3, with mitigation required elsewhere in this EIR, the project's impacts on geology and soils are reduced to a less than significant level and that the project would be consistent with applicable General Plan policies.

Implementation of Mitigation Measures GEO-1a, GEO-1b, GEO-1c, GEO-6a, GEO-6b, and GEO-6c as well as HYDRO-1a, HYDRO-1b, BIO-1a, and BIO-3. No additional mitigation measures are required. Implementation of these mitigation measure would reduce potential erosion impacts to a less-than-significant level.

H. HAZARDS & HAZARDOUS MATERIALS

Significance Criteria

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact with regard to hazardous materials if it would:

- Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List) and, as a result, would create a significant hazard to the public or the environment.
- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

- Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands.
- For a project located within an airport land use plan, result in a safety hazard for people residing or working in the project area.
- For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.
- Conflict with adopted plans, ordinances, policies, or goals of the City.

Impact: **Impact HAZ-1:** Project construction would employ hazardous materials that could be accidentally released on site. Although it is very unlikely that this impact would occur at any significant level, this impact is conservatively considered a potentially significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Compliance with the requirements of an approved Spill Prevention, Control and Countermeasure Plan and a hazardous Materials Business Plan, and proper hazardous materials management (and, where necessary, cleanup) by trained personnel during construction activity would reduce this hazardous materials impact to a level of less than significant.

Mitigation Measure HAZ-1a: If a small quantity of hazardous materials is released from a service truck during equipment maintenance or fueling of equipment and vehicles, site personnel shall clean up small spills and place the waste in 55-gallon drums for characterization and off-site disposal. In the case of a large spill, contaminated soils shall be placed into barrels or roll-off boxes by service personnel or off-site contractors for subsequent evaluation and off-site disposal.

Mitigation Measure HAZ-1b: Hazardous materials shall be managed and handled by trained maintenance and service personnel. Hazardous materials shall be stored in locked areas or cabinets with secondary spill containment to minimize impacts should a spill occur. Incompatible materials shall be stored separately.

Mitigation Measure HAZ-1c: Before construction commences, a Spill Prevention, Control, and Countermeasure (SPCC) Plan and a Hazardous Materials Business Plan (HMBP) shall be prepared, if the volumes of hazardous materials stored onsite exceed the threshold requirements.

I. PUBLIC SERVICES

Significance Criteria

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to solid waste disposal if it would:

- Create a demand for solid waste disposal service that exceeds Napa's existing solid waste disposal capacity.
- Result in a substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the need for new or physically altered government facilities, the construction of which could cause significant environment effects, in order to maintain acceptable service ratios, response times, or other performance objectives for solid waste handling and disposal.
- Conflict with federal, State, and local statutes and regulations related to solid waste.

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to fire protection and emergency medical services if it would:

- Result in the need for new or physically altered fire facilities, the construction of which could cause significant environmental impacts.

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact on police services if it would:

- Result in the need for new or physically altered police facilities, the construction of which could cause significant environmental impacts.

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact with regard to schools if it would:

- Result in the capacity of a school district to be exceeded, or result in the need for new school facilities, the construction of which would cause significant environmental effects.

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to parks and recreational resources if it would:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that a substantial physical deterioration of the facility would occur or be accelerated.
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to public services if it would:

- Conflict with adopted plans, ordinances, policies or goals of the City addressing public services.

Impact: **Impact PUB-1:** Implementation of the project could affect the ability of the City of Napa to meet its goal of diverting 50 percent of the waste stream if adequate space for waste collection infrastructure is not provided.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Compliance with the requirements of PR 27 (e.g., implementation of an approved Source Reduction Plan and provision of recycling/solid waste enclosures) would reduce this solid waste disposal impact to a level of less than significant.

Mitigation Measure PUB-1: As specified in the City of Napa's Policy Resolution 27, the following measures shall be implemented.

- Developer of a commercial, industrial or multi-family project with common waste disposal facilities shall submit to and receive approval from the Public Works Director of a source reduction plan which meets the City's Source Reduction and Recycling Element and implementing guidelines. (PR 27 Mitigation Utilities and Service Systems XVI.11.)
- A recycling/solid waste enclosure shall be provided in accordance with Chapter 17.102, et seq. of the NMC for all commercial, industrial and multi-family projects with common solid waste facilities. (PR 27 Mitigation Utilities and Service Systems XVI.12.)

Impact: **Impact PUB-2:** Construction waste generated as a result of development under the Gasser Master Plan could affect the ability of the City of Napa to meet its goal of diverting 50 percent of the waste stream.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Compliance with the requirements of PR 27 during construction (e.g., use of the franchised garbage hauler or use of the appropriate landfill for the service area, source separation of wood waste) would reduce this solid waste disposal impact to a level of less than significant.

Mitigation Measure PUB-2: Developer shall ensure that the following measures specified in the City of Napa's Policy Resolution 27 are implemented during construction:

- During the construction/demolition/renovation period of the project, Developer shall use the franchised garbage hauler for the service area in which the project is located to remove all wastes generated during project development, unless Developer transports project waste.
- If the Developer transports the project's waste, Developer must use the appropriate landfill for the service area in which the project is located. (PR 27 Mitigation Utilities and Service Systems XVI.9.)
- Developer shall provide for the source separation of wood waste for recycling. Developer shall use the franchised garbage hauler for the service area in which located for collection of such wood waste, unless the Developer transports such wood waste to a location where wood waste is recycled. (PR 27 Mitigation Utilities and Service Systems XVI. 10.)

Impact: **Impact PUB-3: Flood hazards (baseline).** The Master Plan calls for the development of a variety of office, retail, commercial, residential, and other uses within a designated floodplain and floodway of the Napa River. While most of the site will be removed from the designated floodplain under baseline conditions, interim, residual, and persistent flood hazards, including events larger than a 100-year flood, may affect the site and flood hazards will therefore result from the new exposure caused by the proposed new development. As a result of new development on the site, additional property and persons will potentially be subject to flood hazards. This is a potentially significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Implementation of an Evacuation Route and Emergency Operations Plan (as approved by the Public Works Director) and a Flood Evacuation Plan (as approved by the Public Works Director), and compliance with PR 27 requirements (e.g., City approval of uses classified as an H (hazardous) occupancy), payment of all appropriate fire and paramedic fees associated with new development) would reduce this flood-related impact to a level of less than significant.

Mitigation Measure PUB-3a: Evacuation Route and Emergency Operations Plan. All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be submerged by one or more feet of water during a 100-year flood event, regardless of whether or not a flood evacuation area designation exists for the proposed development area. The analysis supporting this conclusion shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's Public Works Director prior to final building clearance. All non-residential development at the project site shall be required to provide an emergency operations plan in accordance with FEMA Technical Bulletin 3-93 to the City of Napa's Public Works Director prior to final building clearance. For the purposes of this measure, Tulocay Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control District's 100-year flow estimate at the time the levee is certified. This measure will ensure that the site can be evacuated during most flood events.

Mitigation Measure PUB-3b: Flood Evacuation Area: Flood Evacuation Plan. All developments at the project site within the flood evacuation area, regardless of use, shall be required to develop a flood evacuation plan, as presently required by the City for only certain residential developments under City Municipal Code Section 17.38.070. The flood evacuation plans adapted to the planned use shall be developed in accordance with Subsections A, B, and C of that Section. The flood evacuation plans must be approved by the City Public Works Director prior to final building permit clearance; all components of these plans must be developed and implemented prior to final clearance of building permits. This measure will reduce public safety flood risks for all proposed new development at the site, regardless of use, by providing evacuation planning.

In addition to Mitigation Measure PUB-3, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):

- The Developer of any project which proposes commercial occupancies shall secure approval from Fire Prevention and Building Departments prior to signing lease agreements and allowing occupancy of prospective occupants that pose possible fire and life safety hazards, or are classified by the Uniform Building Code as an H (hazardous) occupancy.
- Developer shall pay the required fire and paramedic fees for new development in accordance with Napa Municipal Code Chapter 15.78. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 94-106 are incorporated herein. The City further finds that calculation of the fee pursuant to the formula set forth therein demonstrates that there is a reasonable relationship between the fees imposed and the cost of improvements attributable to this project. (PR 27 Mitigation Public Services XIII.6.)

Impact: **Impact PUB-4:** The increase in population resulting from the proposed project would increase demand on schools and the need to construct new school facilities.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Payment of all appropriate school impact fees would reduce this school facilities impact to a level of less than significant.

Mitigation Measure PUB-4: The project applicant shall pay its fair share of fees to the NVUSD to help pay for new schools. At present, the NVUSD calculates those fees at \$2.05 per square foot for residential development and \$0.33 per square foot for commercial development.

Impact: **Impact PUB-5:** Because the proposed project does not include a neighborhood park, construction of Tulocay Village would increase the demand for parkland and increase the use of existing park facilities potentially leading to the physical deterioration of these facilities.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Compliance with PR 27 requirements (e.g., payment of all appropriate park facilities fees, payment of any necessary park in-lieu fees) would reduce this park facilities impact to a level of less than significant.

Mitigation Measure PUB-5: The following measures specified in the City of Napa's Policy Resolution 27 shall be implemented:

- Developer shall pay the required fees for each new dwelling unit in accordance with the Napa Municipal Code Chapter 15.68. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 92-084 are incorporated herein. The City further finds that calculation of the fee due pursuant to the formula set forth in Section 15.68.040 of the

Napa Municipal Code demonstrates that there is a reasonable relationship between the fees imposed and the cost of the improvement attributable to this project (PR 27 Mitigation Recreation XIV.1.).

- Unless project approval requires only land dedication, the Developer shall pay in-lieu park dedication fee(s) in accordance with and for the purposes of NMC Sections 16.32.040, 15.68.010 and 15.68.090 for each residential unit authorized or allowed by project approval. Such fee(s) shall be payable at the rate in effect at the time of payment. The findings set forth in the ordinances and in Resolution 92-084 are incorporated herein. The City further finds that the calculation of fees in accordance with the formula set forth in NMC Section 16.32.040D demonstrates that there is a reasonable relationship between the amount of fees imposed and the costs or acquisition attributable to the project (PR 27 Mitigation Recreation XIV.2.).

Impact: **Impact PUB-6:** DEIR Table 4.11-4 discusses the extent to which the project would conflict with a number of the relevant goals and policies in the City of Napa General Plan.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the successful implementation of the public services mitigation measures identified in the EIR, potential General Plan consistency conflicts would be reduced to a level of less than significant.

Mitigation: Implementation of Mitigation Measures PUB-1, PUB-2, PUB-4, and PUB-5 would mitigate this impact to *less-than-significant* levels. No further mitigation is required.

UTILITIES

Significance Criteria

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to water service in the City of Napa if it would:

- Create a demand for water for which insufficient water supplies were available from existing entitlements and resources.
- Result in or require new or expanded water entitlements.
- Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact on wastewater facilities if it would:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB).

- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Based on the Environmental Checklist in Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to public utilities if it would:

- Conflict with adopted plans, ordinances, policies or goals of the City addressing public utilities.

Impact: **Impact UTIL-1:** Failure to meet applicable fire flow standards would adversely affect the ability of the Napa Fire Department to provide adequate service to the project.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: Compliance with the PR 27 requirements (e.g., compliance with comply with all applicable requirements of the Uniform Fire Code and the Fire Department and PWD Standard Specifications and the Fire Department "Standard Requirements for Commercial/Residential Projects", installation of automatic fire sprinklers/ monitoring devices as required), switching the existing Zone 1 water mains and services on Oil Company Road and Sousa Lane over to Zone 3 and a installing new Zone break north of Sousa Lane on Soscol Avenue, installation of water pressure reducers on all services that are switched over from Zone 1 to Zone 3, installation of a water main connection on the west side of Soscol Avenue from the Silverado Trail intersection to Oil Company Road intersection in conjunction with the transfer of the portion of Zone 1 to Zone 3, installation of a water main connection through the Gasser Property from the existing 12-inch water main on Gasser Drive to the existing 8-inch water main connection north of the Silverado Trail/Soscol Avenue intersection, and verification of water main sizes for the infrastructure improvements through a hydraulic analysis prior to approval of improvements to the project property would reduce this fire safety impact to a level of less than significant..

Mitigation Measure UTIL-1a: The project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):

- Developer shall comply with all applicable requirements of the Uniform Fire Code and the Fire Department and PWD Standard Specifications and the Fire Department "Standard Requirements for Commercial/Residential Projects," including, without limitation, the requirements for access, new construction, smoke detectors, fire extinguishers, fire hydrants, etc. Existing fire hydrants may be used to meet hydrant location requirements only if they meet or are changed to meet current hydrant specifications. (PR 27 Mitigation Public Services XIII.1.) Properties having common ownership shall provide the Fire Department with a notarized copy of the recorded conditions, covenants, and restrictions agreement in a form satisfactory to the City Attorney ensuring that all components of fire protection system(s), and fire access roads will be maintained by a maintenance

district, owner's association, or similar legally responsible entity. (PR 27 Mitigation Public Services XIII.2.)

- All newly constructed buildings must have automatic sprinkler systems conforming to NFPA and City Standard Specifications, for which installation permit must be obtained from Fire Prevention. In multi-building complexes, or in buildings with three or more stories, special monitoring conditions will be required. Existing habitable buildings, which are retained, shall be retrofitted. (PR 27 Mitigation Public Services XIII.3.)
- The Developer of any project proposing a change in occupancy use classification (as defined in the Uniform Building Code Table 5A) in a building protected by automatic fire sprinklers shall have the sprinkler system evaluated by a licensed fire sprinkler contractor or fire protection engineer for compliance with National Fire Protection Association Installation Standards. A written report of the inspection findings shall be submitted to the Fire Department prior to final occupancy clearance. A permit is required from Fire Prevention for sprinkler system alterations. (PR 27 Mitigation Public Services XIII.4.)
- Examples of these types of occupancies are: storage of flammable, combustible, explosive, or toxic materials, manufacturing processes involving the above, woodworking shops, tire rebuilding or storage, automotive repair, auto body repair and/or painting, factories where loose combustible fibers are present, semi-conductor fabrication facilities, bulk paint storage, etc. (PR 27 Mitigation Public Services XIII.5.)

Mitigation Measure UTIL-1b: Developer shall ensure that the existing Zone 1 water mains and services on Oil Company Road and Sousa Lane shall be switched over to Zone 3 and a new Zone break shall be installed north of Sousa Lane on Soscol Avenue. This change in zones will provide the increased fire flows necessary for development of the Gasser property and will provide a third connection to the City's 24-inch transmission main that runs north along Soscol Avenue and Silverado Trail.

Mitigation Measure UTIL-1c: Due to the high pressures of Zone 3 compared to Zone 1, developer shall ensure that water pressure reducers are installed on all services that are switched over from Zone 1 to Zone 3.

Mitigation Measure UTIL-1d: Developer shall ensure that a water main connection is made on the west side of Soscol Avenue from the Silverado Trail intersection to Oil Company Road intersection in conjunction with the transfer of the portion of Zone 1 to Zone 3.

Mitigation Measure UTIL-1e: Developer shall ensure that a water main connection shall be made through the Gasser Property from the existing 12-inch water main on Gasser Drive to the existing 8-inch water main connection north of the Silverado Trail/Soscol Avenue intersection.

Mitigation Measure UTIL-1f: Water main sizes for the infrastructure improvements shall be verified by a hydraulic analysis by the developer prior to approval of improvements to the project property.

Impact: **Impact UTIL-2:** DEIR Table 4.12-7 discusses the extent to which the project would conflict with a number of the relevant goals and policies in the City of Napa General Plan.

Finding: Changes or alterations have been required in, or incorporated into, the Gasser Master Plan, including mitigation measures specified in the Final EIR, that avoid the significant environmental effect as identified in the Final EIR.

Explanation: With the successful implementation of the public services mitigation measures identified in the EIR, potential General Plan consistency conflicts would be reduced to a level of less than significant.

Mitigation: Implementation of the mitigation requirements of PR 27 would mitigate this impact to less-than-significant levels. No further mitigation is required.

X. PROJECT ALTERNATIVES

A. GENERAL DESCRIPTION OF ALTERNATIVES INCLUDED IN DRAFT EIR

An EIR must describe a range of reasonable alternatives to the proposed project that could feasibly attain most of the basic objects of the project. The following facts are to be taken into account when assessing the feasibility of alternatives: general plan consistency, regulatory limitations, site suitability, economic viability, availability of infrastructure, and jurisdictional boundaries. (CEQA Guidelines, § 15126, subd. (d).)

One mandatory alternative is the so-called "No Project Alternative." The "no project" analysis shall discuss the existing conditions, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." (CEQA Guidelines, § 15126, subd. (d)(4)). The No Project Alternative as analyzed assumed that no additional development would occur in the Gasser Master Plan area, although the site would continue to receive fill from the Napa River Flood Protection Project (NRFPP).

The Draft EIR for the Gasser Master Plan includes a total of four alternatives, and the Final EIR for the Gasser Master Plan evaluates five added Gasser South alternatives that represent refinements to the "Reduced Retail/Theater" alternative evaluated in the Draft EIR.

The City chose not to examine any off-site alternatives for a number of reasons. First, because the City wants to retain the Rural Urban Limit ("RUL") in its current location, rather than expand it outward into agricultural land, the City chose not to examine alternative locations beyond the current RUL boundary. Building the amount of new development envisioned by the Gasser Master Plan outside the RUL in the permanent agricultural zone would conflict with adopted City (and County) policies regarding the proper location for urban growth. Second, the General Plan identifies the Gasser Master Plan for Mixed Use development and the primary objective of the Gasser Master Plan planning process is to provide an appropriate specific mix of land uses for the site. Third, the applicant does not own and/or cannot obtain an alternative site(s) within the RUL that is compatible with its project objectives. (See Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d. 553, 574 [276 Cal.Rptr. 410, 423].)

The following is a description of those alternatives that were described at length in the Draft EIR.

1. No Project Alternative

Under the No Project Alternative, implementation of the Gasser Master Plan would not occur. The 80-acre project site would continue to receive fill from the Napa River Flood Protection Project (NRFPP), but would remain largely undeveloped, containing wetlands and vacant land. The existing commercial uses along Soscol Avenue would not be removed under this alternative. In addition, the proposed roadway improvements would not be implemented.

2. Mitigated Project Alternative

The Mitigated Project Alternative is designed to avoid many of the impacts identified in DEIR Chapter 4 as resulting from the proposed Gasser Master Plan. This alternative would have the same project objectives, square footage and number of residential units as the Gasser Master Plan, and where appropriate, would comply with City of Napa's Policy Resolution 27 and other off-site mitigation measures identified in the EIR. Under this alternative, the elongated parking lot along the western edge of the Gasser South wetlands would be truncated, and circulation improvements made for Gasser North, to provide a more unique neighborhood character incorporating on and off-site features, rear loaded parking (where feasible) and improved vehicle circulation. A loop road concept in Tulocay Village could provide the opportunity for a greater variety of housing types with improved access to the Napa Riverfront and Trail. This alternative would include an upland open space link along the north side of the Tulocay Creek between the northern seasonal wetland and the restored open space along the Napa River.

3. Urban Village Alternative

The Urban Village Alternative focuses on the Tulocay Village area of the Gasser Master Plan, where a greater variety of housing types and sizes would be provided in a pedestrian-oriented setting, where housing would front sidewalks as opposed to parking areas as envisioned in the proposed project. An overall density of 25 units per acre would be maintained; however, the density could vary in different blocks, incorporating townhomes, apartments, and possibly live/work units. The Urban Village Alternative would include features such as the looped circulation pattern, similar to that associated with the Mitigated Project Alternative.

4. Reduce Retail/Theater Alternative

The Reduced Retail/Theater Alternative would entail an overall 35 percent reduction of the size of the 45,000 square foot theater complex and the 29,280 square foot retail buildings, in the Commercial/Entertainment Village section of the Gasser Master Plan area. The reduction would result in a 29,250 square foot theater and a 19,000 square foot retail area.

Following publication of the DRAFT EIR on the Gasser Master Plan in December 2005, the City of Napa evaluated several alternatives development patterns for the Gasser South portion of the Plan Area that represent refinements to the Reduced Retail/Theater Alternative presented in the DEIR. The additional development alternatives for the Gasser South area that were considered in the FEIR by the City of Napa are:

- Gasser South Alternative 1: A 14-screen, 2,030-seat Cinema and Retail/Office Space (with 7,000 square feet of restaurant space, 30,000 square feet of non-profit office space, 58,600 square feet of upper office space, 3,000 square feet of fast food uses and 19,280 square feet of retail space);
- Gasser South Alternative 2: A 12-screen, 1,800-seat Cinema and Retail/Office Space (with 7,000 square feet of restaurant space, 118,000 square feet of upper office space, 3,000 square feet of fast food uses and 40,250 square feet of retail space);

- Gasser South Alternative 3: Retail/Office Space (with 48,000 square feet of non-profit office space and 120,600 square feet of retail space) and no Cinema;
- Gasser South Alternative 4A: A 14-screen, 2,412-seat Cinema and Retail/Office Space (with 6,300 square feet of restaurant, 30,000 square feet of non-profit office space, and 3,000 square feet of fast food uses); and
- Gasser South Alternative 4B: A 14-screen, 2,412-seat Cinema and Retail/Office Space (with 27,000 square feet of retail space, 30,000 square feet of non-profit office space, and 3,000 square feet of fast food uses).

5. The Gasser Master Plan as Approved by the City

Using the CEQA process as it was intended -- as a means of solving or minimizing environmental problems raised by project proposals -- the Planning Commission, and later the City Council, relied on the Draft and Final EIRs, along with public comments and testimony, to fashion a final version of the Gasser Master Plan that largely tracks the proposed Gasser Master Plan but that includes numerous Mitigation Measures, as set forth in section IX. Because the City could easily ascertain the environmental impacts of this hybrid version of the project from the alternatives analysis in the Draft EIR, the Council approved a modified Gasser Master Plan that incorporated a revised use and site layout concept for South River Place and eliminated specific site plan concepts northern zoning districts but included language to address concepts from the Mitigated and Urban Village alternatives. (See Village Laguna of Laguna Beach v. Board of Supervisors (1982) 134 Cal.App.3d 1022, 1028-1032 [185 Cal.Rptr. 41].)

B. THE INFEASIBILITY OF THE NO PROJECT ALTERNATIVE

The EIR identified the No Project Alternative as environmentally superior to the Gasser Master Plan as proposed. CEQA therefore requires the City to assess whether this alternative is feasible. It is not.

As explained earlier, the applicant and the City identified respectively the following objectives for the Gasser Master Plan:

Applicant's Objectives

- To establish development on the remaining acreage of the Gasser property that will provide the Gasser Foundation with continuing revenue to support annual donations to the many programs and organizations in the community, with a goal to double the Foundation's annual giving capacity.
- To improve and enhance the natural features of the District which dominate its landscape – Tulocay Creek and the wetlands and detention pond both north and south of Tulocay Creek – by incorporating them into a sustainable mixed use project.
- To establish an exemplary standard for development within the Soscol Gateway Area that will begin the transformation of the area into an entrance to the City of Napa that is in keeping with the image of the Napa Valley and the City of Napa.
- To provide a home for important public-serving facilities and services in a configuration that provides opportunities for collaboration among non-profit corporations.
- To combine land use regulation, property development standards, and design guidelines that create a sense of place, an identifiable address in South Napa.

The City's Objectives

- Establish a Master Plan for development of the remaining acreage of the Gasser Property that will provide for high quality, sustainable development within the City's RUL that will support the housing, commercial service and public service needs of the community.
- Protect open space and habitat on the Gasser Property and facilitate public access to open space within the project and new trail connections to the Napa River Trail.
- Ensure that the Master Plan will provide sufficient standards for future component development so that the project as a whole will maintain design integrity and contribute to the aesthetic goals for the Soscol Corridor Gateway area.
- Ensure that the Master Plan will effectively coordinate site design and infrastructure components with the infrastructure planning that the City is undertaking for the Soscol Gateway area.
- Provide a site for the relocation of the downtown cinema necessitated by construction of the NRFPP through the downtown reach, freeing up downtown sites for economic development opportunities more in keeping with the vision for waterfront development.
- The Master Plan applicant will undertake construction and funding of important infrastructure and transportation improvement projects that have project and city-wide benefits.
- Provide affordable housing pursuant to the AH overlay requirements that will help the City achieve housing objectives for the next housing element cycle.
- Provide a location for public-serving uses such as the homeless shelter, transitional housing units and office facilities for non-profit organizations.
- Improve the City's fiscal health, and achieve a mix of uses with a net-positive fiscal impact for the City.

As is obvious from a recitation of these objectives, the No Project Alternative would meet none of the stated objectives. The No Project Alternative would represent a failure to provide a long-term land use designation for a property whose ultimate land uses have remained unclear for a considerable period of time pending completion of the flood control improvements now in progress. Inaction by the City would simply defer the point in time at which the City must provide the landowner with some certainty regarding the kinds of land uses permissible for the property. The No Project Alternative would not meet key City objectives favoring the provision of new employment and housing. The No Project Alternative would not meet the City's objective of identifying a mix of land uses that achieve a positive fiscal benefit for the City. Based on the alternative's failure to satisfy these objectives, the City Council has rejected it as infeasible. Because, in determining whether an alternative is feasible, the Council may reasonably weigh competing public policy objectives, the alternative's failure to meet these key policy objectives is a sufficient basis for rejecting it as infeasible. (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401, 416-417 [183 Cal.Rptr. 898]; Sequoiah Hills Homeowners Association v. City of Oakland (1993) 23 Cal.App.4th 704, 715 [29 Cal.Rptr.2d 182].)

C. THE INFEASIBILITY OF THE MITIGATED PROJECT ALTERNATIVE

This alternative was identified in the EIR as environmentally superior to the project as proposed. The City Council has concluded, however, that this alternative is not feasible within the meaning of CEQA. It would eliminate a portion of Gasser North which could support future residential development in order to provide a permanent wildlife corridor along Tulocay Creek which, due to existing off-site obstacles, would be unlikely to function effectively. If the residential community were substantially reduced in size, the total costs of the basic infrastructure would have to be spread over a reduced number of housing units. This consequence could threaten the basic economic viability of the residential development. For this reason,

the Council rejects this alternatives as infeasible. (City of Del Mar, supra, 133 Cal.App.3d at pp. 416-417; Sequoyah, supra, 23 Cal.App.4th at p. 715.)

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

As noted earlier, the Gasser Master Plan as approved, even as mitigated, would create or contribute to 16 significant unavoidable and potentially significant impacts, as well as one other impact that could be potentially significant. Because these significant unavoidable and potentially significant impacts remain, the City Council must adopt a "statement of overriding considerations" before approving the Project. (CEQA Guidelines, § 15093; Pub. Resources Code, § 21081, subd. (b).)

The adoption of a statement of overriding considerations is not an "exemption" from any legal requirements as embodied in feasible mitigation measures or applicable statutes, regulations, or policies. Rather, the adoption of a statement of overriding considerations merely allows a lead agency to cite a project's general economic, social, or other benefits (e.g., tendency to promote affordable housing) as a justification for choosing to allow the occurrence of specified significant environmental effects that have not been at least fully mitigated.

The following statement identifies the reasons why, in the City Council's judgment, the benefits of the Gasser Master Plan as approved outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the Plan. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section (XI), in the Gasser Master Plan itself, and in the record of proceedings as defined in section V.

The City finds that the Gasser Master Plan, which includes a new zoning ordinance chapter and related design guidelines, landscape guidelines, and an implementation section adopted by resolution; and a housing "alternative equivalent action" adopted by resolution that helps implement a portion of the affordable housing overlay district requirements, that constitute the overall "Project" being approved by the City, would have the following economic, social, and environmental and economic benefits:

- By virtue of its scope and content, the Gasser Master Plan will provide for the development of the Plan site in a manner that is superior to development under conventional zoning districts. The Gasser Master Plan zoning and related design and landscape guidelines and implementation section is a detailed, comprehensive "blueprint" for the phased, orderly development of Plan area over time.
- The Gasser Master Plan respects and enforces the City's Rural Urban Limit line. By providing for growth within the RUL, the Gasser Master Plan will reduce the pressure for the conversion of land beyond the RUL to urban uses or for increased residential densities and in-fill projects elsewhere within the City's limits.
- The Gasser Master Plan provides for new housing to support the economic development of the community, and for a substantial variety of housing opportunities for area residents and workers.
- The Gasser Master Plan encourages future high quality, attractive housing project(s) to be developed within the site and provides for integration of new development with natural features in and adjacent to the Master Plan site.
- The Gasser Master Plan has provided a location for a recently constructed 59 bed homeless shelter and plans locations for public serving uses including a new transitional housing project and non-profit offices.
- The Gasser Master Plan incorporates city affordable housing overlay requirements and an innovative

housing alternative equivalent action to meet very low income housing needs.

- The Gasser Master Plan provides for a theater and other retail, entertainment, public service and residential opportunities for the people of Napa, and these opportunities may also attract new visitors to the City of Napa.
- The Gasser Master Plan at build-out will provide an unknown number of new jobs, including jobs related to ongoing construction activity and supporting retail businesses located within the Plan area.
- The Gasser Master Plan incorporates design and landscape guidelines to assure that future development will contribute to aesthetic goals of the Soscol Gateway Area.
- The Gasser Master Plan identifies and establishes requirements to provide for infrastructure: roads, water, sewer, storm drainage, utilities, etc., needed to serve subsequent Master Plan development.
- Fiscal impact studies prepared for the purposes of negotiating a development agreement concluded that the Master Plan project would have a net fiscal benefit.
- The Gasser Master Plan establishes development areas and incorporates mitigation measures, such as wetland buffer areas, that will avoid and protect site resources: Tulocay Creek, two site wetlands north and south of Tulocay Creek and stormwater treatment ponds at the south end of the site.
- The Gasser Master Plan establishes a bicycle and pedestrian plan and incorporates conditions that will provide for the subsequent granting of public access easements, and construction of several off-street multi-use trails
- From Oil Company Road to a Tulocay Creek railroad bridge crossing and connection to the River Trail and from the Tulocay Creek railroad bridge to Hartle Court;
 1. Along the north side of the north wetlands; and
 2. Along the north side of Tulocay Creek.
- The Gasser Master Plan establishes a bicycle and pedestrian plan and incorporates conditions that will provide for on-street bicycle lanes on the following public streets to be constructed or improved as part of subsequent developments in the Master Plan site
 1. Oil Company Road
 2. North Drive
 3. Gasser Drive
 4. Hartle Court
- The Gasser Master Plan identifies future bicycle staging facilities and incorporates conditions that will require public parking and possible amenities such as picnic tables and restrooms convenient to River Trail access points.

For the foregoing reasons, the City Council finds that the benefits of the Gasser Master Plan outweigh, and therefore override, its significant and unavoidable environmental impacts.

EXHIBIT B

**Gasser Master Plan
R2006 212**

Gasser Master Plan Implementation
Mitigation Monitoring Program

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
LAND USE						
<p>Although no impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> ◆ Developer shall comply with all requirements of federal, State and local laws and regulations applicable to project construction and issuance of building permits. (PR 27 Mitigation Land Use IX.1.) ◆ Developer shall comply with the monitoring/reporting checklists development pursuant to the City of Napa Resolution 96-153 regarding CEQA implementation procedures for both standard and project specific mitigation measures. (PR 27 Mitigation Land Use IX.2.) ◆ Developer shall notify all employees and agents of the mitigation measures and conditions applicable to the project and shall ensure compliance with such measures and conditions. Developer shall also notify all assigns and transferees of the same. (PR 27 Mitigation Land Use IX.3.) 	<p>Prior to approval of final improvement plans. Ongoing</p>	<p>Applicant</p>	<p>Verification that Applicant or Applicant's agents intend to comply with all local, State and federal regulations Approval of final improvement plans.</p>		<p>Community Development Dept., Planning Division</p>	
AESTHETICS						
<p>No feasible mitigation measures have been identified that could effectively reduce the change in visual character of the site to a level of less than significant with development as proposed under the</p>	<p>Prior to approval of final improvement</p>	<p>Applicant</p>	<p>Verification that final development plan shows appropriate lighting</p>		<p>Community Development Dept.,</p>	

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p>Master Plan.</p> <p>Although no light and glare impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> ◆ All new lighting on private property shall be designed to eliminate direct light spilling onto adjacent residential properties. (PR 27 Mitigation Aesthetics I.1.) ◆ Low-level lighting shall be utilized in any parking area(s) as opposed to elevated high-intensity light standards. (PR 27 Mitigation Aesthetics I.2.) 	<p>plan and each building permit.</p>		<p>specifications.</p> <p>Approval of final improvement plan.</p> <p>Approval of each building permit.</p>		<p>Planning Division</p>	
TRANSPORTATION						
<p>Mitigation Measure TRA-1: <i>Imola Avenue from Soscol Avenue to J.R. 29 (Westbound)</i>: The project applicant shall design and fund a program to coordinate traffic signals and optimize signal timing throughout the corridor. This program shall be submitted to the City of Napa for review and approval before building permits for structures south of Tulocay Creek of the Master Plan project may be issued.</p>	<p>See Condition of Approval 9</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal coordination and timing improvements.</p> <p>Final tuning must be completed prior to acceptance of subdivision for final acceptance by City.</p>	<p>Community Development Dept., Engineering Division with assistance from Dept. of Public Works, Transportation Engineering</p>		
<p>Mitigation Measure TRA-2: <i>Soscol Avenue from Silverado Trail to Imola Avenue (Northbound and Southbound)</i>: The project applicant shall design and fund a program to coordinate traffic signals and optimize signal timing throughout the corridor. This program shall be submitted to</p>	<p>See Condition of Approval 10</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal coordination and timing</p>	<p>Community Development Dept., Engineering Division</p>		

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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the City of Napa for review and approval before building permits for Phase I of the Master Plan project may be issued.

Mitigation Measure TRA-3: Third Street/Silverado Trail (SR 121)/Coombsville Road/East Avenue: The project applicant shall contribute a "fair share" of the costs to provide a right-turn lane at the Coombsville Road approach and to stripe and sign the new right-turn lane for turning movements northbound on Silverado Trail and East Avenue OR to restrict traffic from entering the intersection from East Avenue (i.e., make East Avenue one-way in the northbound direction). The City has not identified a timeframe for implementation.

Mitigation Measure TRA-4: Imola Avenue (SR 121)/Gasser Drive: The project applicant shall implement the following improvements before obtaining building permits for Phase I of the project: Stripe southbound approach as a left-turn lane and two exclusive right-turn lanes and provide right-turn overlapping traffic signal phasing. Construct an additional left-turn lane for the castbound approach and provide 200 feet of storage for both left-turn lanes. The 200-foot castbound left-turn lanes are required to reduce queuing. Due to the tight-of-way constraints, extending the single left-turn lane is precluded as it would encroach on the Maxwell Bridge. Stripe Gasser Drive north of Imola Avenue to provide a through lane and a shared-through-right-turn lane at the South Napa Marketplace entrance and merge the two through lanes into a single lane north of the entrance. These improvements are currently being designed.

improvements.
Fine tuning must be completed prior to acceptance of subdivision for final acceptance by City.

with assistance from
Dept. of Public Works,
Transportation
Engineering

See Condition of
Approval 12.

Applicant

See Condition of Approval 12

Community
Development Dept.,
Building Division with
assistance from

Dept. of Public Works,
Transportation
Engineering

See Condition of
Approval 6 & 7

Applicant

See Condition of Approval 6
& 7

Community
Development Dept.,
Building and
Engineering Divisions
with assistance from
Dept. of Public Works,
Transportation
Engineering

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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Mitigation Measure TRA-5: Imola Avenue (SR 121)/Soscol Avenue: The project applicant shall contribute a "fair share" toward implementation of the following improvements: an additional left-turn lane on the eastbound approach and an exclusive right-turn lane on the westbound approach and provide protected phasing for the eastbound and westbound left-turn movements. Plans for the eastbound and westbound improvements are currently being designed. These plans show that additional right-of-way is required for the eastbound and westbound improvements. Based on year 2010 traffic projections, the eastbound left-turn requires approximately 250 feet of storage and the westbound right-turn requires approximately 100 feet of storage. The required eastbound and westbound storage is an approximation; a study shall be conducted to refine the pocket lengths and lane widths when the developer applies for an encroachment permit.

Prior to approval of first building permit for projects south of Tulocay Creek.

Applicant

Issuance of building permits South of Tulocay Creek within the Master Plan.

Community Development Dept., Building Division with assistance from Dept. of Public Works, Transportation Engineering

Alternative Mitigation: As an alternative to providing TRA-5, the project applicant implements the Gasser/ Soscol/ Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element.

Alternative Mitigation Measure TRA-5A: Imola Avenue (SR 121)/Soscol Avenue: Implement the Gasser/Soscol/Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element. This improves the eastbound to northbound traffic movement by shifting traffic to the Gasser Drive corridor. About 100 peak hour vehicle trips shift from the eastbound left-turn movement to Gasser Drive, thereby eliminating the project-specific impact on the Soscol Avenue corridor north of Imola Avenue and improving Imola Avenue approaching Soscol Avenue from the west. Alternative Mitigation Measure TRA-5A requires that an acceptable financing plan will be developed between the City of Napa and the project applicant to cover the costs of the intersection realignment.

See Condition of Approval-25

Applicant or Applicant's Agent

Acceptance of scope of work, budget, and schedule for completion of realignment; signed contract.

Community Development Dept., Engineering Division Dept. of Public Works, Transportation Engineering

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Completed
Mitigation Measure TRA-6: SR 12/SR 121/SR 29: The ultimate improvement for the future Carneros interchange as the SR-12/SR-121/SR-29 intersection is in the City's SIF program. The applicant's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.	Pay SIF fees prior to issuance of each building permit.	Applicant	Receipt of SIF payment prior to issuance of each building permit.	Community Development Department, Building Division, with assistance from Dept. of Public Works, Transportation Engineering	
Mitigation Measure TRA-7: <i>Soscol Avenue/Soscol Lane</i> : Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall pay SIF to signalize this intersection. In addition, the applicant shall fund and design reconfiguration of this intersection to provide a left-turn lane and a shared-through-right-turn lane on both the eastbound and westbound approaches.	Pay SIF fee prior to issuance of each building permit. See Condition of Approval 27 & 28	Applicant	Receipt of SIF payment and completion of intersection reconfiguration as approved by the City of Napa	Community Development Dept., Building Division and Engineering Division with assistance from Dept. of Public Works, Transportation Engineering	
Mitigation Measure TRA-8: SR 29 SB Ramps/Imola Avenue: The ultimate improvement for the future traffic signals at the intersection of SR-121 (Imola Avenue) and the SR-29 SB ramps is in the City's SIF program. The project's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.	Pay SIF fee prior to issuance of each building permit.	Applicant	Receipt of SIF payment prior to each building permit.	Community Development Dept., Building Division Dept. of Public Works, Transportation Engineering	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>If the project build out implementation of the "South" area occurs after the installation of the future traffic signals, the project shall design and fund a program to coordinate the traffic signals and optimize signal timing throughout the Imola Avenue corridor, (i.e. from the SR-29 SB Ramps up to Soscol Ave), to serve post-project build out traffic conditions.</p>	<p>See Condition of Approval 9.</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal coordination and timing improvements. Fine tuning must be completed prior to acceptance of subdivision for final acceptance by City.</p>	<p>Community Development Dept., Engineering Division with assistance from the Dept. of Public Works, Transportation Engineering</p>	<p>Date Completed</p>	
<p><u>Mitigation Measure TRA-9: SR 29 NB Ramps/ Imola Avenue:</u> The ultimate improvement for the future traffic signals at the intersection of SR-121 (Imola Avenue) and the SR-29 NB ramps is in the City's Street Improvement Fee (SIF) program. The project's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.</p>	<p>Pay SIF fee prior to issuance of each building permit.</p>	<p>Applicant</p>	<p>Receipt of SIF payment prior to issuance of each building permit.</p>	<p>Community Development Dept., Building Division</p>	<p>Date Completed</p>	
<p>If the project build out implementation of the "South" area occurs after the installation of the future traffic signals, the project shall design and fund a program to coordinate the traffic signals and optimize signal timing throughout the Imola Avenue corridor, (i.e. from the SR-29 SB Ramps up to Soscol Ave), to serve post-project build out traffic conditions.</p>	<p>See Condition of Approval 9</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal coordination and timing improvements. Fine tuning must be completed prior to acceptance of subdivision for final acceptance by City.</p>	<p>Community Development Dept., Engineering Division with assistance from Dept. of Public Works, Transportation Engineering</p>	<p>Date Completed</p>	
<p><u>Mitigation Measure TRA-10: Imola Avenue from Soscol Avenue to SR 29</u></p>	<p>See TRA-1</p>	<p>Applicant</p>	<p>See TRA-1</p>	<p>Community Development Dept.,</p>	<p>Date Completed</p>	

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
(westbound and eastbound): Implement Mitigation Measure TRA-1.					Engineering Division with assistance from Dept. of Public Works, Transportation Engineering	
<u>Mitigation Measure TRA-11: Soscol Avenue from Silverado Trail to Imola Avenue (northbound and southbound):</u> In addition to the improvements listed in Mitigation Measure TRA-2 (i.e. traffic signal coordination along the Soscol Ave. corridor), the project shall design and implement the widening of Soscol Avenue to six lanes between north of Magnolia Dr and south of Silverado Trail through pavement signing and striping while staying within the existing public street right-of-way. This corridor widening is not anticipated to require new right-of-way.	See Condition of Approval 10 and 35.	Applicant	See Condition of Approval 10 and 35		Community Development Dept., Engineering and Building Division with assistance from Dept. of Public Works, Transportation Engineering	
<u>Mitigation Measure TRA-12: Soscol Avenue/Lincoln Avenue:</u> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall pay a "fair share" contribution to provide a second southbound left-turn lane on Soscol Avenue and overlap traffic signal phasing for the westbound right-turn on Lincoln Avenue. The City of Napa has not identified a timeframe for implementation.	See Condition of Approval 34	Applicant	See Condition of Approval 34		Community Development Dept., Building Division with assistance from Dept. of Public Works, Transportation Engineering	
<u>Mitigation Measure TRA-13: Third Street/Silverado Trail (SR 127)/Coombsville Road/ East Avenue:</u> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall pay a "fair share" contribution to provide a right-turn lane at the Coombsville Road approach, stripe and sign the new right-	See Condition of Approval 26	Applicant	See Condition of Approval 26		Community Development Dept., Building Division with assistance from	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Completed
<p>turn lane for turning movements northbound on Silverado Trail and East Avenue, and restrict traffic from entering the intersection from East Avenue (i.e., make East Avenue one-way in the northbound direction).</p>					
<p><u>Mitigation Measure TRA-14: Silverado Trail (SR 121)/Soscol Avenue:</u> Prior to completion of Phase II of the Master Plan the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be reconstructed consistent with the City of Napa Transportation Element. An acceptable financing plan shall be developed between the City of Napa and the project applicant to cover the costs of the construction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection realignment. Gasser Drive and Silverado Trail shall intersect Soscol Avenue at about 90 degree angles to form a standard four-leg intersection.) The realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be in accordance with the plans and specifications approved by the City of Napa and Caltrans. The project applicant shall provide the improvement plans for the ultimate realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection at the time of the review of the subdivision map and related improvement plans for the "North" area.</p>	See Condition of Approval 25	Applicant City of Napa Caltrans	See Condition of Approval 25.	Community Development Dept., Engineering Division Dept. of Public Works, Transportation Engineering Caltrans	
<p><u>Mitigation Measure TRA-15: Imola Avenue/Jefferson Street:</u> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall be responsible for designing and funding the construction of a left-turn lane on the southbound approach and reconfigure this approach to provide a left-turn lane, a shared-through-left-turn lane, and a right-turn lane.</p>	See Condition of Approval 29	Applicant	See Condition of Approval 29	Community Development Dept., Engineering and Building Divisions with assistance from Dept. of Public Works, Transportation	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	
<p>Mitigation Measure TRA-16: Imola Avenue/Coombs Street: Before the City issues building permits to construct north of Tulocay Creek, the project applicant shall provide funding for right-turn overlap traffic signal phasing for the eastbound approach.</p>	See Condition of Approval 30	Applicant	See Condition of Approval 30	Engineering	
<p>Mitigation Measure TRA-17: Imola Avenue/Gasser Drive: Implement Mitigation Measure TRA-4.</p>	See TRA-4	Applicant	See TRA-4	Community Development Dept., Engineering and Building Divisions with assistance from Dept. of Public Works, Transportation Engineering	
<p>Mitigation Measure TRA-18: Soval Avenue (SR 121)/Kansas Avenue: The applicant shall re-stripe the eastbound approach to provide two left-turn lanes and a shared-through-right-turn lane. Provide one left-turn lane, two through lanes, and one right-turn lane on both the northbound and southbound approaches. The applicant shall also add an overlap phase for the westbound and southbound right-turn movements and provide protected-permitted phasing for the southbound left-turn movement. Based on year 2010 traffic</p>	See Condition of Approval 31.	Applicant	See Condition of Approval 31	Community Development Dept., Planning Division Dept. of Public Works, Transportation Engineering	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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projections, approximately 300 feet of storage is required for the eastbound left-turn; therefore, the eastbound left-turn lanes should be approximately 150 feet. This storage requirement is an approximation; a study shall be conducted to refine pocket lengths and lane widths when the applicant applies for an encroachment permit.

Alternative Mitigation Measure TRA-18A: As an alternative to providing TRA-18, the project applicant could implement the Gasser/ Soscol/Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element.

Alternative Mitigation Measure TRA-18A: *Soscol Avenue (SR 127)/Kansas Avenue:* Prior to completion of Phase II of the Master Plan the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be reconstructed consistent with the City of Napa Transportation Element. An acceptable financing plan shall be developed between the City of Napa and the project applicant to cover the costs of the construction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection realignment. Gasser Drive and Silverado Trail shall intersect Soscol Avenue at about 90 degree angles to form a standard four-leg intersection. The realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be in accordance with the plans and specifications approved by the City of Napa and Caltrans. The project applicant shall provide the improvement plans for the ultimate realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection at the time of the review of the subdivision map and related improvement plans for the "North" area.

See Condition of Approval 31

Applicant
City of Napa
Caltrans

See Condition of Approval 31.

Community Development Dept., Engineering Division
Dept. of Public Works, Transportation Engineering
Caltrans

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure TRA-19: Soscol Avenue (SR 121)/Sheller Avenue:</u> The applicant shall pay the project's "fair share" contribution to modify the eastbound approach to a left-turn lane, shared left-through-right-turn lane, and a right-turn lane.</p> <p>Also, an additional northbound and southbound through lane should be constructed on Soscol Avenue and overlap phasing should be provided for the eastbound, northbound, and southbound right-turns.</p>	See Condition of Approval 32	Applicant	See Condition of Approval 32	Community Development Dept., Engineering and Building Divisions Dept. of Public Works, Transportation Engineering	
<p><u>Mitigation Measure TRA-20: Imola Avenue/Soscol Avenue:</u> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall fund the construction of an additional left-turn lane on the eastbound approach, an exclusive right-turn lane on the westbound approach. In addition, the applicant shall pay SIF for the construction of an additional through lane on Soscol Avenue in both directions. The Applicant shall provide protected phasing for the eastbound and westbound left-turn movements. Plans for the eastbound and westbound improvements are currently being designed. These plans show that additional right-of-way is required for the eastbound and westbound improvements. Based on year 2010 traffic projections, the eastbound left turn will require approximately 250 feet of storage and the westbound right turn will require approximately 100 feet of storage. The required eastbound and westbound storage are approximated; a study shall be conducted to refine the pocket lengths and lane widths when the applicant applies for an encroachment permit. The City of Napa has not identified a timeframe for implementation.</p>	See Condition of Approval 33	Applicant	See Condition of Approval 33	Community Development Dept., Engineering and Building Division with assistance from Dept. of Public Works, Transportation Engineering	
<p><u>Mitigation Measure TRA-21: SR 12-SR 121/SR 29:</u> Implement Mitigation Measure TRA-6.</p>	See TRA-6	Applicant	See TRA-6	Community Development Dept., Building Division with	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Completed
<p>Mitigation Measure <u>TRA-22: Sausal Avenue/Sousa Lane</u>: Implement Mitigation Measure <u>TRA-14</u>. An acceptable financing plan will be developed between the City of Napa and the project applicant to cover the costs of the intersection realignment.</p>	See TRA-14	Applicant City of Napa Caltrans	See TRA-14	<p>assistance from Dept. of Public Works, Transportation Engineering</p>	
<p>Mitigation Measure <u>TRA-23: SR 29 NB Ramps/Imola Avenue</u>: Implement Mitigation Measure <u>TRA-8</u>.</p>	See TRA-8	Applicant	See TRA-8	<p>Community Development Dept, Building Division with assistance from Dept. of Public Works, Transportation Engineering</p>	
<p>Mitigation Measure <u>TRA-24: SR 29 NB Ramps/Imola Avenue</u>: Implement Mitigation Measure <u>TRA-9</u>.</p>	See TRA-9	Applicant	See TRA-9	<p>Community Development Dept, Building Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>Mitigation Measure TRA-25: In addition to Mitigation Measures TRA-1 through TRA-24, the applicant shall pay the basic SIF at the time of building permit issuances, in accordance with Napa Municipal Code Chapter 15.84, to fund improvements identified by the City to address cumulative impact conditions.</p>	<p>Pay SIF fee prior to issuance of each building permit.</p>	<p>Applicant</p>	<p>Receipt of SIF payment prior to issuance of each building permit.</p>	<p>Community Development Dept., Building Division</p>	<p></p>	<p></p>
<p>Mitigation Measure TRA-26: Before the applicant obtains any Design Review Permit (and any conditional Use Permit approval) for each of the Gasser Zoning Districts, the applicant shall demonstrate that the project can provide parking consistent with City parking standards to meet the demand for parking for all proposed uses.</p>	<p>Prior to issuance of any discretionary permits or building permits for Gasser South</p>	<p>Applicant</p>	<p>Demonstration of the provision of additional spaces, Issuance of building permits for Phase I of Master Plan.</p>	<p>Community Development Dept., Planning Division</p>	<p></p>	<p></p>
<p>Shared parking allows for a net reduction in overall parking spaces while meeting estimated parking demand. Shared parking allows for a net reduction in overall parking spaces while meeting estimated parking demand.</p> <p>Given the distance between Gasser South and Gasser North, no shared parking is permitted between these areas. Shared parking may be permitted between distinct uses on the project site so long as the applicant demonstrates that each use will have sufficient parking to meet demand. As provided in the Zoning Code, section 17.54.080, shared parking may be permitted with a Use Permit provided that the shared parking spaces are:</p>	<p>Prior to issuance of any discretionary permits or building permits for Gasser North</p>	<p>Applicant</p>	<p>Demonstration of the provision of additional spaces, Issuance of building permits for Phase II of Master Plan</p>	<p>Dept. of Public Works, Transportation Engineering Caltrans</p>	<p></p>	<p></p>
<ol style="list-style-type: none"> 1. Located in a common parking lot or off-site convenient to the use(s) requiring the parking; and 2. The parking will be secured for the use(s) requiring the parking by ownership and/or agreements sufficient to guarantee the long term use of the site for such parking; and 3. The applicant is able to show through a parking analysis that the peak demand for spaces 						

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>from all uses will be met. A possible option for determining shared parking arrangements includes the Urban Land Institute Publication "Shared Parking."</p> <p>4. In no instance shall the total parking required be less than would be required for any one of the independent uses.</p>	<p>Prior to approval of Final Improvement Plans, notes to be included on plans and standards to be reflected and incorporated into design.</p>	Applicant	Community Development Dept., Engineering and Building Division	Final Map approval or issuance of building permit	Community Development Dept., Engineering and Building Division	
<p><u>Mitigation Measure TRA-27:</u> The applicant shall comply with ADA standards for configuration and number of handicap accessible parking spaces and proximity of such parking to building pedestrian access points.</p>	<p>Sec Condition of Approval 22 and 37</p>	Applicant VINE	Community Development Dept., Engineering Division	Sec Condition of Approval 22 and 37	Dept. of Public Works, Transportation Engineering	VINE
<p><u>Mitigation Measure TRA-28:</u> Install bus turnouts and bus shelters along the project frontage based on recommendations from VINE and provide pedestrian sidewalks and paths connecting the identified stops to site destinations.</p>	<p>Sec Condition of Approval 22 and 37</p>	Applicant VINE	Community Development Dept., Engineering Division	Sec Condition of Approval 22 and 37	Dept. of Public Works, Transportation Engineering	VINE
<p><u>Site Infrastructure</u></p> <ul style="list-style-type: none"> ♦ Work with VINE to determine appropriate location(s) for a bus pullout, bus shelter, and/or transit stop (e.g., Gasser Drive/Hardle Court, Gasser Drive/Kansas Avenue, and Bay 						

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p>Trail/Hartle Court).</p> <ul style="list-style-type: none"> Construct bus pullouts, bus shelters, and/or transit stops at VINE-recommended location(s). <p><u>Project Design Parameters</u></p> <ul style="list-style-type: none"> Provide pedestrian connections that are accessible to all users, including the transit-dependent user, between the VINE-recommended transit stop(s) and the site building pads. Connections shall be designed to meet ADA standards and be consistent with FHWA's <i>Best Practices Design Guide: Part 2 Designing Sidewalks and Trails for Access</i>. The applicant shall be responsible for financing and implementing the measures at the time building permits are granted for the site infrastructure construction and subsequent building pad construction. 	<p>Steps noted in MM shall be included in the design and preparation of improvement plans for both on-site and public infrastructure improvements.</p>	Applicant	<p>Issuance of building permits or approval of final maps for Master Plan, as appropriate.</p>	<p>Community Development Dept., Engineering Division with assistance from Dept. of Public Works, Transportation Engineering</p>		
<p><u>Mitigation Measure TRA-29:</u> The developer would be responsible for constructing the bicycle and pedestrian facilities identified in the Gasser Master Plan and supporting efforts to enhance bicycle and pedestrian connections to the project site.</p> <p>Steps taken to implement Mitigation Measure TRA-29 shall include:</p> <p><u>Site Infrastructure</u></p> <ul style="list-style-type: none"> Apply design guidelines from the <i>Highway Design Manual</i> published by Caltrans and FHWA's <i>Best Practices Design Guide: Part 2 Designing Sidewalks and Trails for Access</i> for bicycle and pedestrian facilities. Consistent facility design standards, throughout the project site, promote a safe and effective system for both bicyclists and pedestrians. Provide a minimum bike lane width in accordance with City bicycle width path standards on Gasser Drive and Hartle Court. 	<p>Steps noted in MM shall be included in the design and preparation of improvement plans for both on-site and public infrastructure improvements.</p>	Applicant	<p>Issuance of building permits or approval of final maps for Master Plan, as appropriate.</p>	<p>Community Development Dept., Engineering Division with assistance from Dept. of Public Works, Transportation Engineering</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<ul style="list-style-type: none"> ◆ Provide a bicycle and pedestrian linkage between Gasser North and Gasser South and provide way-finding signing directing users destined for the San Francisco Bay Trail (from the north) to use the bicycle and pedestrian linkage between Gasser North and Gasser South rather than Gasser Drive and Hartle Court 						
<u>Project Design Parameters</u>						
<ul style="list-style-type: none"> ◆ Provide bicycle parking facilities within the project site and adequate access to these facilities. Provide enough bicycle parking facilities to either meet the City's code or meet the amount required in a parking demand needs assessment. ◆ Comply with ADA standards throughout project site. ◆ Provide pedestrian linkages on site between the public streets, parking lots, and the building pads. ◆ Provide special treatments on site at locations of potential pedestrian/vehicle conflict. ◆ Develop a management plan to minimize vehicle/pedestrian conflicts during high activity periods. Focus the plan on the theater operations, holiday period operations, and Bay Trail access. 						
<p>The applicant shall be responsible for financing and implementing the measures at the time building permits are granted for the site infrastructure construction and subsequent building pad construction.</p>						
<p>Mitigation Measure TRA-30: Construct improvements identified in the Gasser Master Plan to facilitate access to the site and circulation within the site including measures identified in Mitigation Measures TRA-1 and TRA-2.</p>	<p>Facilities shown on Tentative Maps or Applications for Use Permits or Design Review.</p>	<p>Applicant</p>		<p>Approval of Tentative Map, Use Permit or Design Review</p>	<p>Community Development Dept., Planning Division</p>	
<p>To implement Mitigation Measure TRA-30 and reduce the Impacts TRA-30a through TRA-30c to <i>less-than-significant</i> levels, the applicant</p>						

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Completed
<p>shall include the following:</p> <p><u>Site Infrastructure</u></p> <ul style="list-style-type: none"> ◆ Design project frontage and street improvements consistent with Napa standards. ◆ Left-turn pockets on Gasser Drive shall be a minimum of 100 feet except at Hartle Court where the left-turn pocket shall be at least 350 feet. ◆ Provide a minimum 150-foot throat depth on Hartle Court at Gasser Drive. ◆ Provide a minimum 100-foot throat depth at the driveway south of Hartle Court. ◆ Provide a minimum 50-foot throat depth at all other driveways to the project site. ◆ Intersect all driveway and roadway connections to the public streets perpendicular to the public street. Driveway connections to the private road connecting Oil Company Road and Gasser Drive shall also be perpendicular. ◆ Provide one full access driveway to the commercial site at Soscol Avenue. Secondary driveways, if any, shall be right-in/right-out only. <p>The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.</p>	<p>Prior to Final Improvement Plan Approvals.</p>				
<p><u>Mitigation Measure TRA-31:</u> Implement vehicle delivery routing and receiving stations for project uses.</p> <p>To implement Mitigation Measure TRA-31 the applicant will:</p> <p><u>Project Design Parameters</u></p>	<p>Facilities shown on Tentative Maps or Applications for Use Permits or Design Review.</p>	<p>Applicant</p>	<p>Approval of Tentative Map, Use Permit or Design Review</p>	<p>Community Development Dept., Planning Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<ul style="list-style-type: none"> ◆ Develop a consistent truck routing plan for the overall site throughout the phased development. ◆ Provide consistent signage to route delivery trucks through the site. ◆ Implement consistent design features throughout the phased development to minimize delivery conflicts with general use parking as well as pedestrian and bicycle flows on site. <p>The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.</p>	<p>Prior to Final Improvement Plan Approvals.</p>				
<p><u>Mitigation Measure TRA-32:</u> Develop an overall site circulation plan to minimize discontinuous vehicle flows (i.e., dead-end drive aisles).</p>					
<p>To implement Mitigation Measure TRA-32 the applicant will:</p>					
<p><u>Project Design Parameters</u></p>					
<ul style="list-style-type: none"> ◆ Provide circulatory continuity through the phased development of the project. ◆ Lay out parking to eliminate dead-end parking circulation aisles or provide turnaround circles at the end of the dead-end parking aisle. ◆ Locate building pads adjacent to parking areas to minimize walking distance and define pedestrian circulation between building pads, circulation roads, and public access points. ◆ Comply with City Code standards for parking stall size and orientation, circulatory aisle widths, and other infrastructure. ◆ Provide appropriate lighting levels within parking areas, along pedestrian walkways, and at site interface with public streets. <p>The applicant will be responsible for financing and implementing the</p>	<p>Facilities shown on Tentative Maps or Applications for Use Permits or Design Review. Prior to Final Improvement Plan Approvals.</p>	<p>Applicant</p>	<p>Approval of Tentative Map, Use Permit or Design Review.</p>	<p>Community Development Dept., Planning Division</p>	

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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measures prior to the issuance of any permits.

Mitigation Measure TRA-33: Develop and submit a Construction Management Plan (CMP) to the City of Napa for approval prior to commencement of any construction activities.

The provisions of a CMP are specifically designed to address the characteristics of construction-related traffic associated with development. Such plans identify construction phasing and the level and type of construction-related traffic. A few measures from the City of Napa's Policy Resolution 27 also apply and are indicated below. Elements of a CMP shall include:

Project Design Parameters

- ◆ A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure procedures; signs, cones, and other warning devices for drivers; and designation of construction access routes.
- ◆ Provision for on-site construction staging.
- ◆ Notification to property owners and local jurisdictions when major deliveries, detours, or lane closures are required.
- ◆ Provision of on-site parking for all construction employees, site visitors, and inspectors.
- ◆ Provisions for street sweeping to remove construction-related debris.
- ◆ Designated general use site access and general employee and visitor parking and circulation areas on site, and any necessary off-site shuttle connectors to serve designated off-site parking supplies during construction.
- ◆ Provisions for open trenches during non-working hours shall be

Shall be submitted with first plan check submittal for either improvement plans or building permit.

Applicant

Issuance of grading or building permits.

Community Development Dept., Engineering and Building Division with assistance from

Dept. of Public Works, Transportation Engineering

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
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- provided with appropriate signage, flashers, and barricades approved by the Street Superintendent to warn oncoming motorists, bicyclists, and pedestrians of potential safety hazards. (PR 27 Mitigation Transportation XV.2)
- ◆ Provisions to maintain pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an alternate route established as approved by the Police Chief and Public Works Director. (PR 27 Mitigation Transportation XV.4)
- ◆ Provision for signing and safety fencing to re-route pedestrians and bicyclists in case of lane closure on Gasser Drive, Harte Court or Soscol Avenue.
- ◆ Provisions to restore all road surfaces to pre-project conditions after completion of any project-related activities in the public right-of-way. (PR 27 Mitigation Transportation XV.3)

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
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HYDROLOGY & WATER QUALITY

Mitigation Measure HYDRO-1a: *Storm Water Pollution Prevention Plan*. The applicant/developer shall submit a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB prior to any grading or construction activity. The SWPPP must be consistent with the City-approved stormwater management plan. A copy of the transmittal, NOI, and a SWPPP shall be submitted to the City for its review and approval prior to the issuance of a grading and/or building permit. This information is required pursuant to the NPDES General Permit Regulations contained in State Water Quality Control Board Water Quality Order No. 2003-0005-DWQ and ensures pollution prevention planning by the Applicant (See also PR 27 Mitigation Hydrology and Water Quality VIII.4)

Shall be submitted with first improvement plan check and be approved prior to issuance for grading or building permit.

Applicant

Issuance of grading or building permits.

Community Development Dept., Engineering Division
Community Development Dept., City Building Division

Mitigation Measure HYDRO-1b: *Erosion and Sediment Control*. Implement Mitigation Measure GEO-6a and Mitigation Measure GEO-6b. Mitigation Measure GEO-6a provides that "the developer shall provide an erosion and sediment control plan and a schedule for implementation of approved measures to the Public Works Director for approval with the first improvement plans submitted for review. No grading and excavation shall be performed except in accordance with the approved plan and schedule. (PR 27 Mitigation Geology and Soils VI.3.)" Mitigation Measure GEO-6b provides that "hydroseeding of all disturbed slopes shall be completed by October 1; Developer shall provide sufficient maintenance and irrigation of the slopes such that growth is established by November 1." (PR 27 Mitigation Geology and Soils VI.4.) These measures require plans and actions that have been shown to significantly reduce construction-related erosion and sedimentation.

Shall be submitted with first improvement plan check and be approved prior to issuance for grading or building permit.

Applicant

Issuance of grading permits.

Community Development Dept., Engineering and Building Division

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure HYDRO-1c: Construction Materials:</u> The applicant/developer shall ensure that no construction materials (e.g., cleaning fresh concrete from equipment) are conveyed into the storm drain system. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the stormwater drainage system. (PR 27 Mitigation Hydrology and Water Quality VIII.5.) This measure provides an explicit performance standard with regard to keeping construction materials out of the storm drain system and consequences, including remediation, for failure to do so.</p>	<p>During grading and construction activities.</p>	<p>Applicant</p>	<p>Periodic on-site inspections; request by public.</p>	<p>Community Development Dept., Building Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	<p>Community Development Dept., Building Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-1d: Pollutants:</u> All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the stormwater system or ground water. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequences of construction materials into the stormwater drainage system. (PR 27 Mitigation Hydrology and Water Quality VIII.8.) This measure provides an explicit performance standard with regard to keeping pollutants out of the storm drain system during construction and consequences, including remediation, for failure to do so.</p>	<p>During grading and construction activities.</p>	<p>Applicant</p>	<p>Periodic on-site inspections; request by public.</p>	<p>Community Development Dept., Building Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	<p>Community Development Dept., Building Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-2a: Stormwater Management Plan:</u> Before the City can approve any phase of development at the project site, the applicant must demonstrate through a stormwater management plan for that development phase that is approved by the City Public Works Director that their proposed development plan meets the requirements of the City of Napa NPDES General Permit No. CAS000004 as detailed in Attachment 4 to the SWRCB Order No. 2003-005. This plan shall include the Storm Water Pollution Mitigation Plan ("SWPMP") as required by Napa Policy Resolution</p>	<p>Stormwater Management Plan shall be submitted with application for Tentative Map, Use Permit or Design Review</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of Stormwater Management Plan and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	<p>Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
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No. 27. (PR 27 Mitigation Hydrology and Water Quality VIII.10.) In terms of supporting documentation, the stormwater management plan will include calculation of post-construction BMP capacity to treat pollutants and other information necessary to support the proposed design. (Note: This mitigation measure also addresses the stormwater drainage system design and general flood hazards associated with it. See Impacts HYDRO-3 and HYDRO-4.)

Mitigation Measure HYDRO-2b: Best Management Practices. The stormwater management plan shall include best management practices (BMPs) for site design, source control, and treatment to the maximum extent practicable to reduce the potential for degradation of groundwater and surface water quality. The requirements will include at a minimum the BMPs and BMP standards specified by the City of Napa's Interim Policy Procedure for Post-Construction BMPs at commercial (includes office and retail) and residential sites, unless new guidance with superior water quality protection supersedes this document, in which case that standard shall be in force. For new residential and other development, the stormwater management plan shall incorporate the same BMPs as required for commercial development for grassy swales and inlet labels, as well as meeting the same standards for treatment control sizing as required of commercial developments. Specifically, all new storm drain inlets will be marked with permanent labels that state "No Dumping—Flows to River." This work shall be shown on improvement plans. (PR 27 Mitigation Hydrology and Water Quality VIII.11.)

In addition, to the maximum extent practicable, routine discharge of surface water to wetlands, from both commercial and residential developments and including overland flow, shall be required to either pass through a vegetated swale engineered for water quality protection according to requirements as detailed in the California BMP Handbook for New Development and Redevelopment, or through a 100-foot or wider vegetated buffer, or through a similarly

Stormwater Management Plan shall be submitted with application for Tentative Map, Use Permit or Design Review.

Applicant

Issuance of grading permit; Copy of *Stormwater Management Plan* and discharge permit number on file with Dept. of Public Works.

Community Development Dept., Engineering Division

Dept. of Public Works, Bridges and Urban Drainage Division

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>effective BMP. Any exceptions to this requirement shall be noted in the proposed development plan. In no case shall vegetated buffers at delineated wetlands be less than 50 feet.</p> <p>While the effectiveness of BMP's vary, the standard established by the City of Napa's Interim Policy Procedure for Post-Construction BMP's represents a reasonably prudent and practicable approach for significant new development in a water quality-impaired basin that does not place an undue burden on new development compared to existing development. In this instance, additional measures have been specified. Water quality impacts from new development of land that was previously open space are generally proportional to the size of the developed area. Because of the large size of the proposed Gasser Master Plan project, the impaired condition of the waterways to which it drains, and the existing wetlands with habitat values that will temporarily detain drainage waters, additional water quality protection measures beyond these standard requirements are also appropriate. These additional specified BMP's will provide an increased level of source control and treatment for all proposed uses, including implementation of BMP standards for residential uses that are similar to commercial standards. They also provide additional protection to the wetland at the site. The effectiveness of a vegetated buffer is enhanced by lower slopes and longer flow lengths. Therefore, this mitigation measure specifically provides increased protection for the wetland by significantly increasing the effective length of flow through a vegetated buffer as water flows overland to the existing wetlands.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map.</p>	<p>Applicant</p>	<p>Easements shall be accepted and recorded prior to issuance of grading permit or shown on the final map if a final map is part of the project; Copy of <i>Stormwater Management Plan</i> and</p>	<p>Director of Public Works</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
deeper than 5 feet will require wider easements as required by the City Public Works Director. These easements will provide protection and maintenance access to ensure continued function of such features.	Use Permit or Design Review.		discharge permit number on file with Dept. of Public Works.		
<u>Mitigation Measure HYDRO-2d: Stormwater Management Plan, further requirements.</u> In terms of supporting documentation, the stormwater management plan will include post-construction BMP capacity to treat pollutants and other information necessary to support the proposed design.	<i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review.	Applicant	Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.	Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage Division	
<u>Mitigation Measure HYDRO-2e: Stormwater Operations and Maintenance.</u> The stormwater management plan shall include a specific facility operation and maintenance manual and program for each element. The maintenance plan must be acceptable to the Director of Public Works and the City Attorney. The plan shall comply with City and SWRCB requirements including, but not limited to, a detailed description of responsible parties, inspections, maintenance procedures for the detention system (e.g., the existing on-site detention basin, which is owned, operated, and maintained by the Flood Control District), including monitoring and documentation of annual reports to the Public Works Department and procedures for enforcement. Appropriate easements or other arrangements satisfactory to the Public Works Director and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to approval of the final/parcel map or issuance of a building permit, whichever comes first. (PR 27 Mitigation Hydrology and Water Quality VIII.12.) The funding plan for facility operation and maintenance shall also be included as part of the stormwater	<i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review. Enter into Maintenance Agreement in accordance with current City Storm Water Management Plan.	Applicant	Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.	Community Development Dept., Engineering Division and City Attorney	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>management plan. This plan shall include a signed statement from the developer accepting responsibility for maintenance and management of each element of the stormwater management plan until such time when the property is transferred to the City of Napa or another party, at which time the City or other party will assume responsibility. This mitigation measure will provide a greater level of assurance of the effective ongoing operation of the facilities on which the stormwater management system relies.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review; elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits.</p>	Applicant	Community Development Dept., Engineering Division	Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.	Community Development Dept., Engineering Division	
<p><u>Mitigation Measure HYDRO-2f: Stormwater Plan Implementation.</u> The elements of the approved stormwater management plan, including drainage easements, must be included in the submitted final site plan and grading and utilities plans to allow approval of grading and building permits. In addition, all drainage easements must be offered for dedication to the City on the Final/Parcel Map. This mitigation measure will provide a greater level of assurance of the full implementation of the stormwater management system.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or</p>	Applicant	Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage	Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.	Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage	
<p><u>Mitigation Measure HYDRO-2g: Other PR 27 Requirements.</u> In accordance with Napa Policy Resolution No. 27 Attachment A, Section VIII (Hydrology and Water Quality), the stormwater management plan, drainage plan, and site development plan shall reflect, and the applicant shall meet, the following parallel and/or supplemental water quality management requirements:</p>						

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
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Mitigation Measure HYDRO-3b: Erosion/Siltation Evaluation: The applicant shall submit an evaluation of erosion/siltation hazards for each phase of the Gasser Master Plan, or elements thereof. The plans shall describe any actions that will construct or alter drainage elements or drainage patterns on the site. This plan evaluates the risk of erosion/sedimentation hazards created by the project's implementation. Finally, the plan shall demonstrate that the project will not present a substantial risk of erosion or sedimentation and provide supporting documentation of the basis for the evaluation's conclusion. Approval of a grading permit shall be contingent on approval of the submitted erosion/siltation evaluation by the City Public Works Director. This evaluation may be submitted as part of the stormwater management plan.

Erosion/Siltation Evaluation
submitted with first plan check submittal for each Phase of Gasser Master Plans.

Applicant
Issuance of grading and building permits for each Phase of Master Plan.
Dept. of Public Works, Bridges and Urban Drainage Division

Mitigation Measure HYDRO-3c: Stormwater Management Plan, Further Requirements: This supplements Mitigation Measure HYDRO-3a, which requires the preparation and implementation of a stormwater management plan as specified by Mitigation Measure HYDRO-2a. In accordance with Napa Policy Resolution No. 27 Attachment A, Section VIII (Hydrology and Water Quality), the stormwater management plan, drainage plan, and site development plan shall also reflect, and the applicant shall meet, the following parallel and/or supplemental requirements:

Stormwater Management Plan
shall be submitted with application for Tentative Map, Use Permit or Design Review, elements of Plan shown on final Improvement Plans; prior to approval of grading and building permits.
Applicant

Community Development Dept., Planning and Engineering Divisions
Issuance of grading permit; Copy of *Stormwater Management Plan* and discharge permit number on file with Dept. of Public Works.
Dept. of Public Works, Bridges and Urban Drainage Division

- The stormwater management plan will specify implementation of a storm drain system, including any off-site components, that is designed to meet current City Engineering Division standards and that is sufficient to convey at least a 25-year storm, exceeding or meeting current Napa Public Works Department Standard Specifications in accordance with Napa Policy Resolution No. 27, Attachment A, Subsection XVI.5.

- The stormwater management plan shall include documentation of all storm drain calculations, including onsite and offsite

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<p>runoff calculations, inlet capacity calculations, pipe flow calculations, and detention basin capacity calculations.</p> <ul style="list-style-type: none"> To ensure adequate drainage control, the Developer of any project which introduces new impervious surfaces (roof, driveways, patios) which will change the rate of absorption of drainage or surface run-off shall submit a drainage and grading plan designed in accordance with Policy Resolution No. 17 and the City of Napa Public Works Department Standard Specifications to the Napa Public Works Department for its approval. (PR 27 Mitigation Hydrology and Water Quality VIII.1.) <p>Side yards of each lot shall have of a minimum unobstructed width of five (5) feet; provided that commercial and certain types of residential development may be designed without side yards of any width, except where approved by the City Public Works Director as part of the Stormwater Management Plan. No building encroachments, door landings or mechanical equipment shall be placed in this unobstructed area without the review and approval of the City Public Works Director in order to assure adequate drainage. (PR 27 Mitigation Hydrology and Water Quality VIII.3.)</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review.</p>	Applicant	<p>Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Community Development Department.</p>	
<p><i>Mitigation Measure HYDRO-3d: Stormwater Operations, Maintenance, and Implementation.</i> Implement Mitigation Measures HYDRO-2c: Stormwater Operations and Maintenance and Mitigation Measure HYDRO-2f: Stormwater plan implementation.</p>	<p>See Conditions 14 & 15</p>				

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure HYDRO-4a: Floodplain Permit.</u> Before development may be approved by the City of Napa within properties zoned FP, which presently includes the entire area proposed for development within the Gasser Master Plan, a floodplain permit must be obtained from the City's floodplain administrator in accordance with Napa Municipal Code Chapter 17.38. Such a permit may not be issued until each of the pieces of information, analyses, and documentation required by this section before construction are submitted. Included in the submittal shall be an identification of all drainage necessary to reduce exposure to flood hazards, documentation showing that 1) finished floors will be elevated at least one foot above the base flood elevation, 2) fully enclosed floors below this elevation automatically will equalize hydrostatic flood forces, and 3) construction below one foot above the base flood (100-year flood) elevation will be flood-proofed. The applicant shall submit Certifications of Compliance with the standards of NMC Chapter 17.38 (FP Floodplain Management Overlay District) by a registered architect or civil engineer as required by NMC Chapter 17.38 to the Public Works Department at the times set forth in Chapter 17.38. (PR 27 Mitigation Hydrology and Water Quality VIII.2.) In addition, if the proposed project falls within a FEMA-designated floodway (currently the case), a floodway development analysis must be prepared by a registered professional engineer as described in NMC Chapter 17.38. and accepted by the City of Napa floodplain administrator before the City may approve development. Such development may only be approved by the City if it shows zero increase in water surface elevations for the entire length of the floodway under base flood conditions and no expected hazard from changes in flood flow and velocity as a result of the proposed development. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and provide consistency with respect to FEMA and the City's zoning laws.</p>	<p>Prior to issuance of grading and building permits for any Phase of the Master Plan. See Conditions of Approval 14 & 15</p>	<p>Applicant</p>	<p>City of Napa Floodplain Administrator Dept. of Public Works, Bridges and Urban Drainage Division.</p>	<p>Issuance of grading and building permits.</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Alternative Mitigation Measure HYDRO-4a: LOMR/CLOMR.</u> Before development may be approved by the City of Napa within properties zoned :FP, which presently includes the entire area proposed for development within the Gasser Master Plan, the applicant must successfully apply to the City to rezone the affected parcel or parcels to remove the :FP overlay. Before the City may approve this rezoning, the applicant must demonstrate that a Letter of Map Revision (LOMR) removing the affected parcels from the floodplain or Conditional Letter of Map Revision (CLOMR) for a proposed project has been obtained from the Federal Insurance Administration of the FEMA. The LOMR may be in the form of an A-99 rezoning (an interim zoning designation to reflect the substantial progress in implementing the NRPFP) sought by the City that includes the proposed development area or an applicant-obtained LOMR for the proposed development area. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and will eliminate regulatory conflicts with respect to FEMA and the City's zoning laws.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review.</p>	<p>Applicant</p>	<p>Approval of Tentative Map, Use Permit or Design Review.</p>	<p>Community Development Dept., Planning Division Public Works Department, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-4b: Evacuation Route and Emergency Operations Plan.</u> Evacuation Route and Emergency Operations Plan. All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be submerged by one or more feet of water during a 100-year flood event, regardless of whether or not a flood evacuation area designation exists for the proposed development area. The analysis supporting this conclusion shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's Public Works Director prior to final building clearance. All non-residential development at the project site shall be required to provide an emergency operations plan in accordance with FEMA Technical Bulletin 3-93 to the City of Napa's Public Works Director prior to final building clearance. For</p>	<p>Prior to final building clearance.</p>	<p>Applicant</p>	<p>Evacuation Route and Emergency Operations Plan shall be approved by the Dept. of Public Works</p>	<p>Dept. of Public Works</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<p>the purposes of this measure, Tulocay Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control District's current 100-year flow estimate. This measure will ensure that the site can be evacuated during most flood events.</p>					
<p><u>Mitigation Measure HYDRO-4c: Stormwater Management Plan, Further Requirements.</u> Implement Mitigation Measures HYDRO-2a, HYDRO-2c, HYDRO-2f, and HYDRO-3a, which require the preparation and implementation of a stormwater management plan. The stormwater management plan, drainage plan, and site development plan shall also reflect, and the applicant shall meet, the following parallel and/or supplemental requirements:</p> <ul style="list-style-type: none"> ◆ The stormwater management plan must demonstrate that conveyance or detention of any storm drain excess (stormwater runoff not produced by overbank flow from rivers and creeks that exceeds the capacity of the stormwater management system) up to the 100-year event will not aggravate flood hazards both on-site and off-site in comparison to pre-project conditions. The plan must specifically address this concern with regard to storm drain excess at Gasser South. ◆ Unless otherwise provided, all measures included in project approval pursuant to NMC Chapter 17.38 (floodplain management overlay district) shall be installed or carried out prior to final clearance of the building permit or concurrently with the installation of site improvements in the case of a subdivision map. (PR 27 Mitigation Hydrology and Water Quality VIII.9.) ◆ This measure will provide for the design and implementation of a stormwater management plan for the project that adequately addresses site drainage issues with regard to minimizing associated flood hazards 	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review, elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits. Sec Condition of Approval 13</p>	Applicant	<p>Issuance of grading permit; Copy of Stormwater Management Plan and discharge permit number on file with Dept. of Public Works</p>	<p>Public Works Department-Bridges and Urban Drainage Division Community Development Dept., Engineering Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure HYDRO-4d: Grading requirements. Evacuation Route and Emergency Operations Plan.</u> All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be submerged by one or more feet of water during a 100-year flood event, regardless of whether or not a flood evacuation area designation exists for the proposed development area. The analysis supporting this conclusion shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's Public Works Director prior to final building clearance. All non-residential development at the project site shall be required to provide an emergency operations plan in accordance with FEMA Technical Bulletin 3-93 to the City of Napa's Public Works Director prior to final building clearance. For the purposes of this measure, Tulocay Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control District's current 100-year flow estimate. This measure will ensure that the site can be evacuated during most flood events.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review., elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits. See Condition of Approval 13</p>	Applicant	Dept. of Public Works Community Development Dept., Engineering Division.	Evacuation Route and Emergency Operations Plan shall be approved by the Dept. of Public Works	Dept. of Public Works Community Development Dept., Engineering Division.	
<p><u>Mitigation Measure HYDRO-4e: Stormwater Operations, Maintenance, and Implementation.</u> Implement Mitigation Measure HYDRO-3d (Implement Mitigation Measures HYDRO-2c: Stormwater Operations and Maintenance and Mitigation Measure HYDRO-2f: Stormwater plan implementation).</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review; elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of</p>	Applicant	Director of Public Works Community Development Dept., Engineering Div.	Issuance of grading permit; Copy of Stormwater Management Plan and discharge permit number on file with Dept. of Public Works.	Director of Public Works Community Development Dept., Engineering Div.	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
<p>grading and building permits. See Condition of Approval 13.</p> <p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review, elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits. See Condition of Approval 13</p> <p>Mitigation Measure HYDRO-4f: <i>Flood Evacuation Area Flood Evacuation Plan. Flood Evacuation Area Flood Evacuation Plan.</i> All developments at the project site within the flood evacuation area, regardless of use, shall be required to develop a flood evacuation plan, as presently required by the City for only certain residential developments under City Municipal Code Section 17.38.070. The flood evacuation plans adapted to the planned use shall be developed in accordance with Subsections A, B, and C of that Section. The flood evacuation plans must be approved by the City Public Works Director prior to final building permit clearance; all components of these plans must be developed and implemented prior to final clearance of building permits. This measure will reduce public safety flood risks for all proposed new development at the site, regardless of use, by providing evacuation planning.</p>	<p>grading and building permits. See Condition of Approval 13.</p>	<p>Applicant</p>	<p>Flood Evacuation Area Flood Evacuation Plan shall be approved by the Dept. of Public Works</p>	<p>Dept. of Public Works Community Development Dept., Engineering Div.</p>	<p></p>
<p>Mitigation Measure HYDRO-5a: <i>Phasing.</i> Before the City can approve grading permits for any proposed development at the project site, flood hazard reduction measures must be implemented as indicated in Table 4.4-3 Flood Hazard Reduction Element Phasing (see last page of this Mitigation Monitoring Program), with all items in the column on the left preceding or occurring concurrently with the action in the column on the right.</p>	<p>Prior to issuance of grading permits.</p>	<p>Applicant</p>	<p>Issuance of grading permits.</p>	<p>Community Development Department, Engineering Division with assistance from</p>	<p>Dept. of Public Works</p>

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
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As an alternative, if a Letter of Map Revision (LOMR) or Conditional Letter of Map Revision (CLOMR) is approved by FEMA for the Gasser South development per HYDRO-4a but not all of Gasser South will be removed from the FEMA regulatory floodplain once the development is complete, then the requirements in Hydro-4b-4f shall be met prior to the issuance of grading and building permits

Mitigation Measure HYDRO-5b: Floodplain Management. Implement Mitigation Measure HYDRO-4a: Floodplain permit or Alternative Mitigation Measure HYDRO-4a: LOMR/CLOMR. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and will eliminate regulatory conflicts with respect to FEMA and the City's zoning laws.

Mitigation Measure HYDRO-5c: Railroad Bridge Closure Plan. The plan for a removable floodwall at Napa Valley Wine Train Bridge across Tulocay Creek must be approved by the City Public Works Director prior to approval of the grading permit for Gasser South development if the NRPDP east bank levees and floodwalls south of First Street to Tulocay Creek are not yet completed. The removable floodwall is required to eliminate routing of the Napa River overbank flood flows from Gasser North onto Gasser South in events up to and including a 100-year flood event. It shall be put in place within a reasonable period after a flood warning alert from the National Weather Service and prior to potentially significant flood events on the Napa River. Implementation of the floodwall plan is required before final clearance of the building permit can occur.

The removable floodwall plan shall show structural details and present the structural analysis on which the design is based. It shall also include identification of who will monitor National Weather Service flood watches and warnings, including contact information;

<p>Prior to issuance of grading and building permits for any Phase of the Master Plan.</p>	<p>Applicant</p>	<p>Issuance of grading and building permits.</p>	<p>City of Napa Floodplain Administrator Dept. of Public Works, Water</p>
<p>Prior to approval of grading permits for Gasser South Development. See Condition of Approval 16</p>	<p>Applicant</p>	<p>Issuance of grading permits for Gasser South Development.</p>	<p>Director of Public Works, Bridges and Urban Drainage Division Community Development Department, Engineering and Building Divisions</p>

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>what actions by whom the watches and warnings will trigger within what time periods; who will install the barriers, and any agreement related to provision of that service; how the site will be accessed; what equipment will be used; how long installation will take; how often the crew will train; emergency contact numbers; any required approvals from the California Public Utilities Commission; backup measures to minimize the potential for system failures; and any other information pertinent to the effective operation of the floodwall. This mitigation measure will provide reasonable assurance of the effectiveness of the railroad bridge floodwall to prevent passage of flows from Gasser North into Gasser South across the bridge.</p>	<p>Prior to issuance of grading permits. See Condition of Approval 16</p>	<p>Applicant</p>	<p>Dept. of Public Works, Bridges and Urban Drainage Division and Community Development Department, Engineering and Building Divisions</p>	<p>Issuance of grading permits.</p>		
<p><u>Mitigation Measure HYDRO-6a: Phasing.</u> Implement Mitigation Measure HYDRO-5a: Phasing.</p>	<p>Agreement on Residual Overland Flow Improvement Plan prior to any Tentative Map, Use Permit or Design Review application north of Tulocay Creek.</p>	<p>Applicant Flood Control District</p>	<p>Flood Control District Public Works Department, Bridges and Urban Drainage Division</p>	<p>Issuance of grading permits north of Tulocay Creek.</p>		
<p><u>Mitigation Measure HYDRO-6b: Residual Overland Flow Improvements.</u> Neither fill nor structures may be placed at the Tulocay Square (aka Tulocay Place) site until documented analysis has been provided identifying those measures necessary to ensure that flood hazards to surrounding properties from at least the 100-year residual overland flow under baseline conditions extending along Soscol Avenue from the intersection of Oil Company Road south to the North Basin would not be aggravated as a result of blockage at the Tulocay Square site. Specific drainage improvements to meet this performance criterion shall be identified as part of a drainage plan to be submitted for the City's review and approval, coordinated with the Flood</p>						

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
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District, prior to City issuance of a grading permit for placement of fill at Tulocay Square. This measure requires development of an integrated and effective plan to route residual flood flows under baseline conditions from Soscol Avenue to the North Basin without increasing flood hazards in up to a 100-year flood event in concert with the plan to place new fill in the flow path at the proposed Tulocay Square site, thereby alleviating most flood risks that might result from such development.

Mitigation Measure HYDRO-7a: Gasser Drive Bridge Hydraulic Design Criteria. The applicant must obtain approval from the City Public Works Director of a hydraulic analysis for the Gasser Drive Bridge prior to City approval of permits for bridge construction. This analysis must demonstrate that the design (including the pier shape and number, bridge low chord, and bridge width as shown in the final design for the bridge) has the ability to pass 1) a 50-year flow in Tulocay Creek (recently estimated at 4,230 cfs) with at least 0.5 feet of freeboard when backwatered from a 50-year flood event in the Napa River with the NRFPP in place and 2) a 100-year flow in Tulocay Creek (recently estimated at 4,500 cfs and elsewhere at 4,875 cfs) without pressure flow when backwatered from a 50-year flood event in the Napa River with the NRFPP in place. Additionally, before the City may grant its approval, the applicant must obtain a letter from the entity responsible for the function of the Tulocay Creek element of the NRFPP stating that the design is consistent with the flood protection objectives of the NRFPP. The responsible entity is expected to either be the USACE (before the NRFPP is turned over to the local sponsor) or the Flood Control District (the local sponsor). This measure will provide a factor of safety to address uncertainty in bridge hydraulics and function, thereby reducing the risk of flood hazards associated with its construction.

Prior to approval of improvement plans for Gasser Drive Bridge.

Applicant

Approval of improvement plans for Gasser Drive Bridge.

Community Development Dept., Engineering Division, with assistance from Public Works Department, Bridges and Urban Drainage Division

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure HYDRO-7b: Gasser Drive Bridge Pier Design.</u> The applicant must obtain approval from the City Public Works Director for design of the Gasser Drive Bridge prior to City approval of permits for bridge construction. This design must be consistent with the hydraulic analysis bridge description submitted for the bridge and must include piles that are webbed to minimize debris accumulation, or continuous walls in lieu of piles, or include no piers within the active channel. This measure will reduce the risk of debris accumulation at the bridge, thereby reducing the risk of flood hazards associated with its construction.</p>	<p>Prior to approval of improvement plans for Gasser Drive Bridge.</p>	<p>Applicant</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>	<p>Community Development Dept., Engineering Division, with assistance from Public Works Department, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-7c: Gasser Drive Bridge Upstream Levee Raise.</u> Prior to City approval of improvement plans for construction of the Gasser Bridge, the Tulocay Creek levee upstream of the bridge must be raised as needed. This should be done in order provide at least as much freeboard as possible between the top of levee and the estimated water surface elevation at the upstream side of Gasser Bridge. The 100-year flow as adopted by the Flood Control District (presently estimated by the Flood Control District to be 4,500 cfs) in Tulocay Creek, when backwatered from a 50-year flood event in the Napa River with the NRPFP in place, has been predicted in head loss at the bridge in the approved hydraulic analysis, plus 0.1 foot. This measure will provide a factor of safety in the upstream levee height, proportional to the expected head loss at the bridge, to address uncertainty in bridge hydraulics and function, thereby reducing the risk of flood hazards associated with its construction.</p>	<p>Levee improvements in place prior to approval of improvement plans for Gasser Drive Bridge.</p>	<p>Applicant Flood Control District</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works Department</p>	
<p><u>Mitigation Measure HYDRO-7d: Tulocay Creek Monitoring and Maintenance.</u> Prior to City approval for construction of a bridge over Tulocay Creek on Gasser Drive, the applicant must receive approval from the City Public Works Director for a monitoring and</p>	<p>Monitoring and maintenance plan submitted for approval prior to approval of</p>	<p>Applicant Flood Control District</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<p>maintenance plan. This plan must identify what actions will be taken to maintain the Tulocay Creek channel at and downstream of the Gasser Drive Bridge at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis beyond the routine monitoring and maintenance of this reach of the creek by the Flood Control District that would otherwise be required. The supplemental funding required for the implementation of this plan by the Flood Control District shall be provided by the applicant to the Flood Control District based on District actual costs, with a District-generated estimate of cost paid by the applicant each year in advance for the following year's work. This requirement shall remain in effect unless and until at some point in the future the City waives it due to new analysis either demonstrating that the expected freeboard at the bridge is 1.0 foot or more in a 50-year flood event when backwatered from a 50-year flood event in the Napa River with the NRFP in place or a finding that the routine monitoring and maintenance of this reach of the creek by the</p>	<p>improvement plans for Gasser Drive Bridge. See Condition of Approval 3</p>	<p>Department</p>			
<p>Flood Control District will be sufficient to maintain it at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis.</p>					
<p>This requirement shall remain in effect unless and until at some point in the future the City waives it due to new analysis either demonstrating that the expected freeboard at the bridge is 1.0 foot or more in a 50-year flood event when backwatered from a 50-year flood event in the Napa River with the NRFP in place, or that the monitoring and maintenance of this reach of the creek by the Flood Control District as required by the USACE as part of the NRFP will be sufficient to maintain this reach of the channel at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis.</p>					
<p>The channel management plan shall include a maintenance manual and program, including annual reporting to the City Public Works Director on maintenance activities undertaken. The funding plan for facility operation and maintenance shall also be included as part of</p>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>the channel management plan. This plan shall include a signed statement from the developer accepting responsibility for maintenance and management of the reach addressed by the channel management plan until such time when the property is transferred; the funding and implementation responsibility will be transferred with the property. This measure will provide additional assurance of bridge performance, even in the face of downstream channel changes, thereby reducing the risk of flood hazards associated with its construction.</p>	<p>Prior to approval of improvement plans for Gasser Drive Bridge.</p>	<p>Applicant Permitting Agencies</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works Department</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works Department</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works Department</p>

AIR QUALITY

Mitigation Measure AQ-1: The following is a list of feasible control measures that the BAAQMD recommends, some of which the City requires through Policy Resolution 27, to limit construction emissions of PM₁₀. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities would occur.

- ◆ Sprinkle water to all active construction areas at least twice daily and more often when conditions warrant. This measure is required by City Policy Resolution 27, which also stipulates that

Applicant
Monitoring during grading and construction activities.

Applicant
Monitoring during grading and construction activities.

Community Development Dept., Engineering Division

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<p>the water shall not be from the City's potable water supply. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency shall be necessary whenever wind speeds exceed 15 miles per hour such that no visible dust is seen leaving the project site.</p> <ul style="list-style-type: none"> ◆ Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained. (PR 27 Mitigation Air Quality III.3.) ◆ Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard. ◆ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. ◆ Sweep (with water sweepers) all paved access roads, parking areas and staging areas at construction sites daily. ◆ Sweep streets daily if visible soil material is carried onto adjacent public streets. ◆ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (defined as previously graded areas inactive for 10 days or more). ◆ Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.). ◆ Limit traffic speeds on unpaved roads to 15 miles per hour. ◆ Install sandbags or other erosion control measures to prevent silt runoff to public roadways. ◆ Replant vegetation in disturbed areas as quickly as possible. ◆ Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. ◆ Suspend grading activities when winds exceed 25 miles per hour (mph) and visible dust clouds cannot be prevented from 					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<p>extending beyond active construction areas, as also required by City Policy Resolution 27. (PR 27 Mitigation Air Quality III.2.)</p> <ul style="list-style-type: none"> ◆ Limit the area subject to excavation, grading and other construction activity at any one time. ◆ Shut down all grading and construction equipment when not in use. This is an additional measure required by City Policy Resolution 27 (PR 27 Mitigation Air Quality III.1). 					
<p><u>Mitigation Measure AQ-2:</u> The project applicant shall reduce vehicle trips, and thus air pollutant emissions, through the measures listed below.</p>					
<ul style="list-style-type: none"> ◆ Provide bus pullouts and transit stops at several locations with pedestrian access to the project. Project emissions could be reduced by about 2 percent with bus service. 	Part of Subdivision or Design Review	Applicant	Review of project	Community Development (CDD), Division Planning in coordination with Napa County Transportation Planning Agency	
<ul style="list-style-type: none"> ◆ Bicycle amenities should be provided for the project. This would include secure bicycle parking for office and retail employees, bicycle racks for retail customers, and bike lane connections. This vehicle trip reduction measure could reduce emissions by 2 percent. 	"				
<ul style="list-style-type: none"> ◆ Pedestrian facilities should link future transit stops and access roadways to the major site uses (e.g., residential and theatre uses). This may reduce emissions by 1 percent. 	"				
<ul style="list-style-type: none"> ◆ Project site employers should be required to post transit rates and scheduling information on bulletin boards, which may reduce emissions by 1 percent. 	Employer posting ongoing.	Employers	None	None	
<ul style="list-style-type: none"> ◆ Consider that a portion of the parking facilities be set aside for commuter parking (i.e., Park and Ride facility) to reduce weekday commuter traffic when retail uses would not be in high demand. The effectiveness would depend on the use of the 	Part	of Applicant	Review of Project		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
<ul style="list-style-type: none"> Require new residential units to include only clean-burning U.S. EPA-certified wood burning devices, pellet-fueled stoves, or natural gas fireplaces. This would reduce a substantial portion of non-transportation PM₁₀ emissions during winter, when PM₁₀ concentrations can be highest and would include policies consistent with BAAQMD recommendations for control of residential wood smoke. This would reduce wintertime emissions of PM₁₀ from wood smoke by 90 percent or greater. 					
<ul style="list-style-type: none"> parking facilities and is too difficult to calculate at this point. Therefore, it would be considered to reduce emissions by less than 1 percent. 		Subdivision and Design Review.			
				CDD, Planning Div.	

NOISE

Mitigation Measure **NOISE-1**: During construction, the following measures, specified in the City of Napa's Policy Resolution 27, shall be implemented:

- Construction activities shall be limited to specific times pursuant to NMC 8.08.025, which limits construction activities to between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on weekends or legal holidays, unless a permit is first secured from the City Manager (or his/her designee) for additional hours. The ordinance further states that the following will not be permitted:
 - start up of machines or equipment prior to 8:00 a.m. Monday through Friday; delivery of materials or equipment prior to 7:30 a.m. nor past 5:00 p.m., Monday through Friday; cleaning of machines or equipment past 6:00 p.m., Monday through Friday; and servicing of equipment past 6:45 p.m., Monday through Friday. (PR 27 Mitigation Noise

During all grading and construction activities	Applicant	Periodic monitoring during grading and construction activities	Community Development Dept., Engineering and Building Division. Code Enforcement Division on complaint only
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Mitigation Measures

Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
		Monitoring Action	Monitoring Responsibility	

- ◆ XI.1.1) Construction on weekends, pursuant to NMC 8.08.025, is limited to the hours of 8:00 am to 4:00 p.m.
- ◆ Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained. (PR 27 Mitigation Noise XI.2.)
- ◆ Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding. (PR 27 Mitigation Noise XI.3.)
- ◆ Grading and construction equipment shall be shut down when not in use. (PR 27 Mitigation Noise XI.4.)

Mitigation Measure NOISE-2: As individual facilities are developed, the City shall evaluate each facility for compliance with the City's Noise Ordinance and General Plan noise standards. Where individual facilities do not clearly comply with the noise standards included in these guidelines, mitigation measures shall be required to reduce projected interior and exterior noise levels to acceptable levels. Mitigation Measures may include, but are not limited to, the following:

- ◆ Dual-pane, noise-rated windows; mechanical air systems; exterior wall insulation; and other noise-reducing building materials shall be used.
- ◆ Mechanical equipment (e.g., air conditioning and ventilation systems) and area-source operations (e.g., loading docks, parking lots) shall be located the farthest distance from and/or shielded from nearby existing and proposed noise-sensitive land uses.

In addition, the following measures will apply to noise-generating activities associated with commercial and multi-family housing grounds:

Evaluation Part of Design Review.	Applicant	Design Review Approval Plan Check	CDD, Planning Div. "
Subsequent final building plans shall indicate features included in compliance with City Noise Ordinance.		Construction Inspection	CDD, Engineering and Building
Part of Design Review	Applicant	Design Review Approval	CDD Planning Div.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
<ul style="list-style-type: none"> Onsite landscape maintenance equipment shall be equipped with properly operating exhaust mufflers and engine shrouds, in accordance with the manufacturer's specifications. For maintenance areas located within 500 feet of noise-sensitive land uses, the operation of onsite landscape maintenance equipment shall be limited to the least noise-sensitive periods of the day, between 7 a.m. and 7 p.m. 	Following Occupancy	Rental Project Owner or Owners Association			
<p><u>Mitigation Measure NOISE-3a:</u> The project applicant or developer shall submit to the City an acoustical study which quantifies noise levels generated by the flood control pumps after the NRRFP/pump station is operational and prior to the construction of residential units in the vicinity. The study will identify the necessary noise control measures to be included in the design of the residential development to maintain interior noise levels within units to 35 dBA Leq with the windows closed.</p>	Studies part of Subdivision and Design Review	Applicant	Subdivision and Design Review Approval Plan Check Construction Inspection	CDD, Planning Div. " CDD, Engineering and Building Div.	
<p><u>Mitigation Measure NOISE-3b:</u> The project applicant, developer, owner, or operator (as applicable) shall disclose to prospective residents the potential sources of offensive, intermittent noises including the pump station, NWT, animal shelter, fire station, and commercial uses.</p>	Ongoing	Applicant or subsequent developer State/Federal Agents	Disclosure notice included with sales statement or lease	Sales/Rental Agents	
<p><u>Mitigation Measure NOISE-4:</u> Developer shall have a project-specific acoustical analysis for the transitional housing units conducted to meet the following noise reduction requirements: Interior noise levels shall be reduced to 45 CNEL or lower to meet State and local standards. Building sound insulation requirements will need to include the provision of forced-air mechanical ventilation for new</p>	Acoustical analysis submitted with building plans pursuant to building permit	Applicant	Issuance of building permits.	Community Development Dept., Building Division	

Mitigation Measures

Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
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transitional housing units adjacent to Hartle Court, so that windows could be kept closed at the occupants' discretion to control noise. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit. Feasible construction techniques such as these will adequately reduce interior noise levels to 45 dBA CNEL, or lower.

application.

BIOLOGICAL RESOURCES

Mitigation Measure BIO-1a: In order to mitigate for on-site impacts to special-status species, the project developer shall obtain all necessary permits from the CDFG, USACE, USFWS, and the RWQCB/State Water Resources Control Board (SWRCB) as required by federal and State law to avoid, minimize or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law as follows:

- ◆ Before project implementation, a delineation of waters of the United States, including wetlands that would be affected by development, shall be made by qualified biologists through the formal Clean Water Act section 404 process. This shall encompass the entire site with the exception of the detention basin of Gasser North under fee ownership of the Napa County Flood Control and Water Conservation District addressed as part of the Gasser Soil Reuse and Disposal Plan in 2003.
- ◆ If based on the verified delineation, it is determined that fill of waters of the United States would result from project implementation, authorization for such fill shall be secured from the USACE through the section 404 permitting process.

Part of Subdivision and Design Review	Applicant for all	Copy of Wetlands Delineation provided to City prior to approval	CDD, Planning Div.
Part of Subdivision and Design Review		If wetland fill proposed, Corps permit provided and mitigation plan before approval	CDD, Planning Div.
Part of Subdivision and Design Review		Copies of WQ permits, Streambed Alteration Agreement, if required, provided at time frame	CDD, Planning Div.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
<ul style="list-style-type: none"> ◆ A CDFG Stream Bed Alteration Agreement and a RWQCB/SWRGB Clean Water Act section 401 water quality certification may also be required by the project activities. The project developer shall obtain all legally-required permits from the CDFG and RWQCB/SWRGB. 	Part of Subdivision and Design Review		identified during project review.	CDD, Planning Div.	
<ul style="list-style-type: none"> ◆ Consultation or incidental take permitting may be required under the Endangered Species Act. The project developer shall obtain all legally-required permits from the USFWS for the "take" of protected species under the Endangered Species Act. 	Prior to issuance of grading or building permits		Copies of USFWS permit, if required provided at time frame identified during project review	CDD, Engineering Div.	
<ul style="list-style-type: none"> ◆ Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the Community Development Department of the City of Napa prior to issuance of any grading or building permits for the project. 			All Necessary Permits on file and plans reflecting permit conditions	CDD, Engineering	
<ul style="list-style-type: none"> ◆ If grading and vegetation removal is to be initiated during the months of April through August (the raptor nesting season) preconstruction surveys shall be conducted for loggerhead shrike and tree-nesting raptors at locations with a potential for nesting activity. These locations include the undeveloped lands within 300 feet of the valley oaks, Tulocay Creek channel and seasonal wetlands. 	Prior to the issuance of grading permits; prior to and during construction activities.	Applicant	Construction monitoring in accordance with mitigation plan and permits	CDD, Engineering	
<ul style="list-style-type: none"> ◆ The surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of grading or vegetation removal, whichever is first. 			Copy of survey on file with City.	CDD, Planning for survey; Engineering for construction monitoring	
<ul style="list-style-type: none"> ◆ If any raptor nests are found within the construction area after April and before August, grading and construction in the area shall either stop or continue only after the nests are protected by an adequate setback of no less than 100 feet approved by a 			Issuance of grading permits.		
			Monitoring as necessary during construction.		

Mitigation Measure BIO-1b: Raptors: